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To prohibit the transpor-  
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66 Cong. 2 Sess.





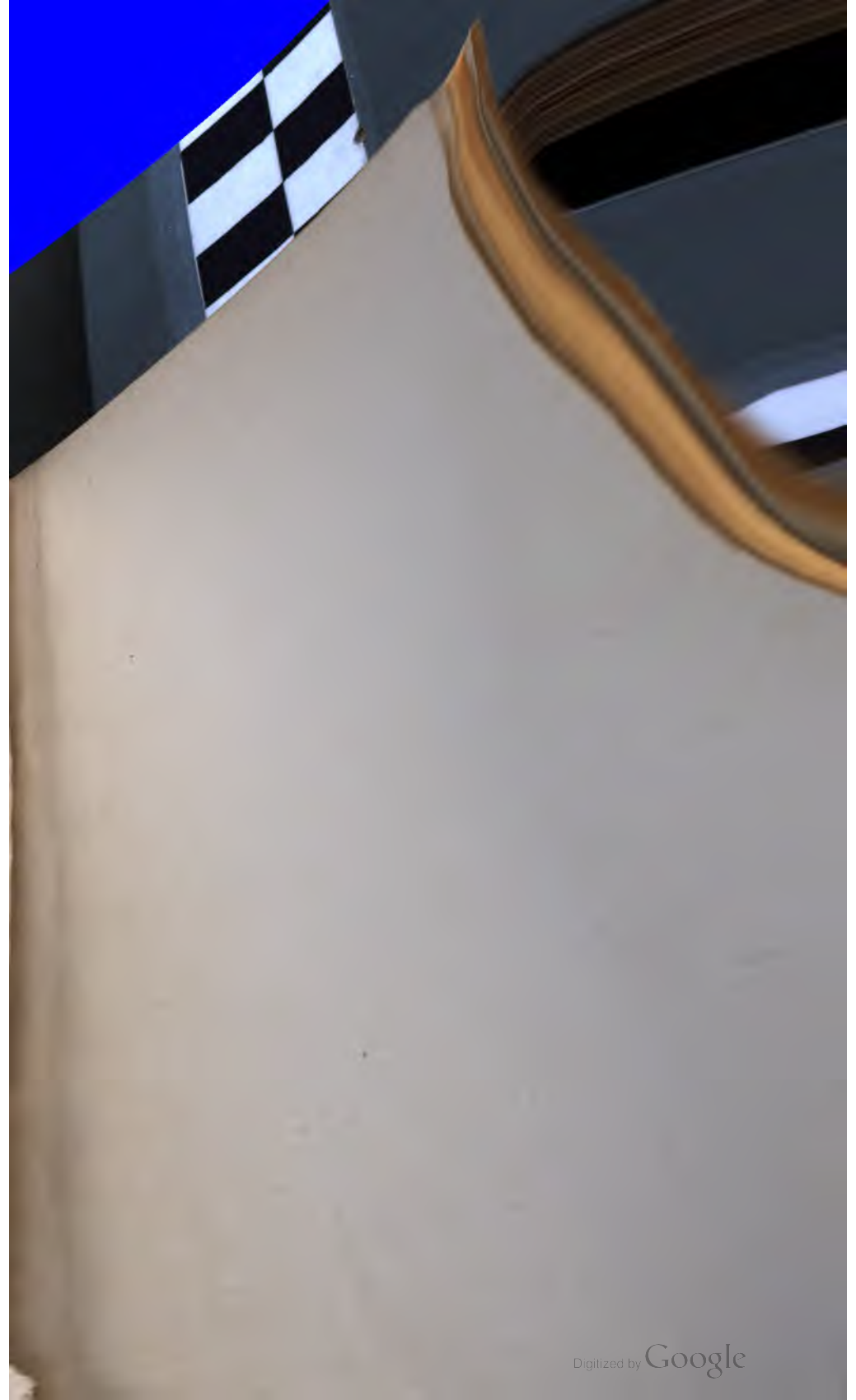
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# TO PROHIBIT THE TRANSPORTATION OF ILLEGALLY CAUGHT LOBSTERS

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## HEARINGS

BEFORE THE

COMMITTEE ON THE  
MERCHANT MARINE AND FISHERIES

HOUSE OF REPRESENTATIVES

SIXTY-SIXTH CONGRESS

SECOND SESSION

ON

**H. R. 4871**

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THURSDAY, JANUARY 22, 1920



WASHINGTON  
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1920

COMMITTEE ON THE MERCHANT MARINE AND FISHERIES.

HOUSE OF REPRESENTATIVES,

SIXTY-SIXTH CONGRESS.

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GEORGE W. EDMONDS, Pennsylvania.

FREDERICK W. ROWE, New York.

FRANK D. SCOTT, Michigan.

WALLACE H. WHITE, Jr., Maine.

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# TO PROHIBIT THE TRANSPORTATION OF ILLEGALLY CAUGHT LOBSTERS.

COMMITTEE ON THE MERCHANT MARINE AND FISHERIES,  
HOUSE OF REPRESENTATIVES,  
*Washington, D. C., Thursday, January 22, 1920.*

The committee met at 10.30 o'clock a. m., Hon. William S. Greene (chairman) presiding.

Mr. WHITE. May I first say a word for the record? This bill, Mr. Chairman (H. R. 4871), I introduced by request. It was introduced first in the Sixty-fifth Congress. I do not know who was the author of the bill, but I introduced it by what I might, I think, properly call the joint request of Secretary Redfield, of the Department of Commerce; and of the sea and shore fishery commissioner of the State of Maine, and I reintroduced the bill at this session.

That is all I care to say about it at the present time.

▲ **BILL** To prohibit the transportation of illegally caught lobsters; also the importation, bringing into, or landing in the United States of any lobsters less than a certain size taken or obtained outside of territorial limits of the United States.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That on and after the approval of this act it shall be unlawful for any person, partnership, or corporation to carry, convey, or transport, or cause to be carried, conveyed, or transported, or to deliver to any common carrier for transportation, or for any common carrier knowingly to transport between a place in one State, Territory, or District in the United States and a place in any other State, Territory, or District in the United States, any lobsters, or parts of such lobsters, which have been caught or taken in violation of the laws of the State, Territory, or District in which caught or taken, or any lobsters, or parts thereof, the importation or landing of or traffic in which is prohibited by section 2 of this act. It shall also be unlawful for any consignee knowingly to receive any lobsters, or parts thereof, carried, conveyed, or transported in violation of this section.

SEC. 2. That on and after the approval of this act it shall be unlawful for any person, partnership, or corporation to import or bring into or land in the United States any lobsters less than 10½ inches in length, measuring from the extremity of the spine protruding from the head to the end of the middle flipper of the tail of the lobster extended on its back its natural length, or less than 4½ inches carapace measurement, or the parts of any such lobsters, which lobsters have been taken or caught in the waters of the Atlantic Ocean outside of territorial limits of the United States or have in any manner been obtained outside of such territorial limits; or for any person or corporation to offer for sale or have in possession any such lobsters or parts of such lobsters knowing the same to have been imported or brought into or landed in the United States in violation of this act.

SEC. 3. That all containers or packages containing lobsters, or the parts thereof, when shipped, carried, or transported in interstate commerce, shall be plainly

#### 4 TO PROHIBIT TRANSPORTATION OF ILLEGALLY CAUGHT LOBSTERS.

and clearly labeled or marked by the person, partnership, or corporation shipping or delivering the same for shipment or transportation, or by the owner if carried by him, to show the size of the lobsters therein, the name of the State or extraterritorial waters from which taken, and the name and address of the shipper, owner, or person shipping or forwarding the same, together with the name and address of the consignee.

SEC. 4. That any person, partnership, or corporation that shall violate sections 1 and 2 of this act, or shall fail to label or mark the containers or packages of lobsters or parts thereof as prescribed in section 3, or shall make any false statement in the labels or marks on said containers or packages, shall for each offense, upon conviction thereof, be punished by a fine of not less than \$50 or more than \$1,000; and any lobsters or parts thereof involved in any violation of this act shall be seized and disposed of as provided in section 7. Upon the conviction of any person, partnership, or corporation of a second or any subsequent violation of section 2 of this act, in addition to the fine hereinbefore provided for, any boat or vessel used or employed in any such violation, together with its tackle, apparel, furniture, and cargo, shall be seized and forfeited to the United States.

SEC. 5. That any violation of this act shall be prosecuted in the district court of the United States in the district in which such violation shall occur or in which the offender is found; and it shall be the duty of the United States attorneys diligently to prosecute any violations of this act which are brought to their attention by the Secretary of Commerce or which come to their notice by other means.

SEC. 6. That it shall be the duty of the Secretary of Commerce to enforce the provisions of this act, and he is authorized to empower such officers and employees of the Department of Commerce as he may designate, and such officers and employees of other departments of the Government as may be detailed for the purpose, to enter, inspect, examine, and search any vessel, vehicle, carrier, or place within the jurisdiction of the United States where they have reason to suspect a violation of this act has been committed, to open and inspect any container or package suspected of containing any lobsters or parts thereof, as referred to in this act, to seize any lobsters or parts thereof involved in any violation of this act, together with any containers in which they are packed, and to dispose of said lobsters or parts thereof as directed in section 7 hereof.

SEC. 7. That all lobsters and parts thereof which shall have been seized as provided in this act shall, on account of their perishable character, be sold, together with their containers, by a duly authorized officer of the Government at public auction or private sale, whichever is the more advantageous, at such time as shall be deemed proper by him; and the proceeds of said sale shall be deposited with the clerk of the court, referred to in section 5 of this act, to be kept by him until after the trial, if any, of the defendant having or claiming ownership of the said lobsters or parts thereof at the time of their seizure, when, if said defendant is found not guilty of violating this act, the said proceeds shall, upon satisfactory proof of such ownership being furnished, be paid to him. If said defendant is found guilty and no appeal or further action is taken, the said proceeds, after deducting the expenses of the sale, shall be covered by the clerk of the court into the Treasury of the United States; but if the defendant takes an appeal or is granted a new trial, the said clerk shall continue to retain custody of the proceeds of said sale until the final determination of the case, when, if the defendant is acquitted, the said proceeds shall be paid to him, or, if he is finally adjudged guilty, said proceeds, after deducting the expenses of the sale, shall be covered into the Treasury. If no action is commenced for a violation of this act against any person, partnership, or corporation owning or claiming to own the lobsters or parts thereof at the time of seizure, the proceeds of the sale thereof, after deducting the expenses of such sale, shall, if no claimant appears therefor within three months after said sale, be covered into the Treasury; but if anyone makes claim within three months after said sale that the lobsters or parts thereof so seized and sold were his property at the time of seizure and were not involved in any violation of this act, and if he establishes his claim to the satisfaction of the officer who conducted the sale, the proceeds thereof shall be paid over to him by the clerk of the court.

SEC. 8. That nothing in this act shall be construed as applying to canned lobsters.

**STATEMENT OF HON. FREDERICK C. HICKS, A REPRESENTATIVE  
IN CONGRESS FROM THE STATE OF NEW YORK.**

**Mr. HICKS.** Mr. Chairman, if I may say just a few words and then be allowed to leave, because we have a hearing of the Naval Committee this morning which I would like to attend, the same being true of Congressman Lufkin also.

I want simply to say this to the gentlemen of the Merchant Marine Committee that my district, on Long Island, is a very large producer of lobsters; in fact, all matters pertaining to oysters, scallops, clams, fish, and lobsters largely have to do with my district where we have a great many gentlemen interested in fisheries. Some of these gentlemen are here this morning and will be very glad to testify before the committee.

We are opposed, Mr. Chairman, to that provision of this bill relating to the size of the lobster. We feel if that size is to be made, as the bill proposes, 10½ inches, as I recall, it will do a great injury to the lobster interests of Long Island (and what pertains to Long Island pertains to Massachusetts and pertains especially to New Jersey), because of some peculiar conditions of the water or something, as I understand, the lobsters of New Jersey do not grow as large as they do in other parts of the country. And if that bill becomes a law, as I understand, New Jersey will practically be put out of the lobster industry.

I think that is a correct statement. I am speaking to-day, however, especially for the lobster interests of Long Island, but, as I say, what pertains to one pertains to the other, and I do not believe this Congress should pass a law which is going to seriously curtail business men who make their livelihood out of that industry, unless it can be shown that that industry is guilty of some direct infringement of natural economic moral or statute law. I know the argument that is going to be made here before this committee is that this is a conservation measure; that if you lessen the size of the lobster you naturally decrease the supply; if you raise the size you increase the supply. Now, I deny that statement in this case because these gentlemen here this morning from my district have assured me that at the present time the number of lobsters being caught in my district is greater than ever before in the history of the industry, and that the conditions of the lobster industry are perfectly satisfactory. Therefore, Mr. Chairman, I respectfully protest in the name of the lobster interests of Long Island against the raising of the size of lobsters from that now allowed to that contemplated in this bill.

**Mr. WHITE.** May I ask one or two questions, so as to get clear in my head what your specific objections are?

**Mr. HICKS.** Certainly.

**Mr. WHITE.** In the first place, what I may call the first paragraph of the bill prohibits the movement in interstate commerce of lobsters which have been caught in violation of the law of any particular State. Now to illustrate that, I think I recognize that any State has a right to fix the size of lobsters caught within its own waters. Maine has done that, to make a local application of it. But do you think that people from outside of the State of Maine

or from outside of New York should be permitted to come in there and to catch or buy lobsters in violation of the law of Maine or of Long Island and then to transport them elsewhere?

Mr. HICKS. I would say in answer to that, Mr. Chairman and Mr. White, that I recognize the right of every State in matters of this kind to pass their own law; but if the State of Maine has passed a law which is unwise or unfair to other States I would suggest to the State of Maine the advisability of passing a new law which is more in the interests of the lobster fisheries of the Nation.

Mr. WHITE. Of course you realize that a very large part of the lobsters of the entire country are caught in Maine and the waters of Maine. Now, the people of the State of Maine have determined that, as a wise conservation measure, lobsters should not be caught below a certain length or size. Do you think that the people of any part of the country should be permitted to come in there and violate that Maine law and transport the lobsters away?

Mr. HICKS. No. I would say that Maine should have jurisdiction of her own waters. And that is all we are asking for on Long Island, that we have jurisdiction of our own waters irrespective of this Maine law.

Mr. WHITE. The bill does not pretend to dictate in any spot or place the size of lobsters which shall be caught in Long Island waters, does it?

Mr. HICKS. Yes; at least in waters in which many of our fishermen operate, for many pots are set outside the 3-mile limit, and this bill as a Federal statute would operate against their catch.

Mr. ROWE. I would like to ask Congressman Hicks what is the size which is permitted to be sold in the State of New York?

Mr. HICKS. Nine inches, I understand.

Mr. ROWE. And what size does this bill make?

Mr. HICKS. Ten and a half. It very materially lessens the number of lobsters that can be caught.

Mr. WHITE. It does not undertake to say in any spot or place what the New York law shall be about the size of lobsters caught in New York waters?

Mr. ROWE. No; it does not. The bill does not prohibit men on Long Island from catching lobsters and selling them anywhere in the State of New York.

Mr. HICKS. No; but if this law goes into effect it will prohibit them from sending those lobsters into other States in interstate commerce caught outside the boundaries of the country.

Mr. WHITE. Not at all; if they are caught in conformity with the New York law, they can send them anywhere.

Mr. ROWE. Except into Maine.

Mr. WHITE. No; not into Maine. If New York fishermen go out and catch 8-inch lobsters instead of 9-inch lobsters it simply prevents the movement of those lobsters, caught in violation of the New York law, in interstate commerce.

Mr. HICKS. Then I can not read that first section clearly, if that is the case, because it says they can not be sent in interstate commerce, and that must include those caught in New York States and those caught beyond State jurisdiction.

The CHAIRMAN. Have you concluded, Mr. Hicks?

Mr. HICKS. Yes, Mr. Chairman, and I thank you and the committee.

**STATEMENT OF HON. WILLFRED W. LUFKIN, A REPRESENTATIVE  
IN CONGRESS FROM THE STATE OF MASSACHUSETTS.**

Mr. LUFKIN. My interest in this matter is more as a representative of the consumer of lobster than of the producer, I think, because my particular district produces very few lobsters in proportion to the total amount handled in our State. There is in Massachusetts a very great interest in this measure, so much so that yesterday the Massachusetts Legislature, under a suspension of the rules, passed a resolution through both the house and senate, protesting against the passage of this bill. I understand that a copy of that resolution has been sent to the chairman, or will be sent to-day.

The CHAIRMAN. I got it to-day.

Mr. LUFKIN. Now, Mr. Chairman, I want to present to the committee, first, on behalf of the Commonwealth of Massachusetts, a statement which originally consisted of 14 points, but which I reduced to 12—a statement of arguments against this bill prepared by the Massachusetts Lobster Men's Association—made up of practically 100 business men engaged in the lobster industry in our State. These are the 12 points which this association desires to submit for the consideration of your committee, and I might say that the brief in question was prepared and sent to me by Mr. William C. Adams, who is the director of the division of fisheries and game of the department of conservation of the State of Massachusetts. The 12 points are as follows:

1. It is an attempt to legislate on an international matter, which should be made the subject matter of a treaty.

2. It is a matter that should be settled by the States among themselves, and not by any one State.

3. It is entirely for the benefit of the canners of Nova Scotia. Apparently the canners, having failed for years to get a law through their own government prohibiting exportation of lobsters under 10½ inches, are attempting to secure through the United States Government what would be practically an export law for the Canadian Government. This country would not benefit in any way, as most of the Nova Scotia pack is sold across the water.

4. The only State that would benefit at all would be Maine. And that State would benefit only in buying in Nova Scotia, their law forbidding handling lobsters under 10½ inches.

5. The country as a whole would suffer, for the enactment of such a law would shorten the supply which we now receive to about one-third. This would be an imposition on the American public, taking away, as it would, an article of food which is very important at this time. It would also raise the cost. As the law is now, enough lobsters are gotten from Nova Scotia during April, May, and June to make the price reasonable.

Mr. HICKS. Will you allow me to interrupt to ask a question?

Mr. LUFKIN. Certainly.

Mr. HICKS. When Mr. White, of Maine, asked the question which he did, perhaps I did not emphasize the point that this bill would

prohibit, as a Federal law, lobsters caught outside of the 3-mile limit being sent into interstate commerce if the size is below the size prescribed?

Mr. WHITE. I believe it would; yes.

Mr. HICKS. Then there is the whole thing; a great many lobsters caught in this country, especially in my district, are caught outside of the 3-mile limit, and if this becomes the law, then you would prohibit those lobsters being caught below the size prescribed in the bill.

Mr. LUFKIN. To go on: "This law might even destroy the whole industry in Nova Scotia, as many of the fishermen would discontinue the business, in view of the high cost of outfitting for the fishery. It would not pay them to fish if they could ship only 10½-inch lobsters."

6. Massachusetts would suffer, as practically the whole supply for the United States comes to Boston and is distributed thence to the rest of the country. The life of the wholesale lobster industry in Boston depends on the Nova Scotia and New Brunswick lobsters.

7. It would be in violation of State rights, in the first place, and in the States of New Jersey, New York, Connecticut, Rhode Island, and Massachusetts would virtually result in an embargo on fishing for lobsters for several years, as the proposed limit is far in excess of the average size caught in those States.

8. There is a demand, at high prices, for lobsters weighing about 1 pound; and a 1-pound lobster is a 9 or 9½ inch lobster, importation of which would be prohibited by the bill.

9. The bill discriminates against the fishermen of this country, for it refers to lobsters caught outside the territorial waters of the United States. The territorial limit is 3 miles, and in some of the States, at least, half of the entire catch of lobsters is caught outside of the 3-mile limit.

10. There would be no benefit to the lobsters in our waters, as our State laws already protect them.

11. The bill is inconsistent with all the laws of the lobster-producing States in this country, none having 10½-inch law, Maine being nearest to it, their present law meaning practically a 10-inch lobster.

That is correct, is it?

Mr. WILBUR. It is more than a 10-inch lobster; it is between 10 and 10½.

Mr. RANDALL. What is the Massachusetts law?

Mr. LUFKIN. Nine inches.

12. The bill in itself is inconsistent, section 2, reading in line 12, "10½ inches in length," and in lines 15 and 16 "or less than 4½ inches, carapace measurement." In a great many instances these two conflict; some measuring 10½ inches will not go carapace measurement, and vice versa.

As I said, those are the arguments against this bill submitted by the head of the Massachusetts Fish and Game Commission.

I have just one more letter here from Mr. D. B. Newcomb, jr., Newcomb & Co., commission merchants, Boston, Mass., in which he says:

In relation to bill H. R. 4871, by Congressman White, of Maine, will say we will have no representative in Washington on Thursday, January 22, 1920, but

our argument against bill would be that it would mean a prohibitive price for lobsters the year around, and be of benefit to Maine only, who would practically have the lobster business of the United States, as Nova Scotia at present has short open season and her lobsters are 40 per cent or more under 10½ inches measure, and Nova Scotia cannors would have all under that size for canning at their own price.

Massachusetts, Rhode Island, Connecticut, and New York lobsters are 60 per cent or more under 10½ inches measure, and with no interstate shipments would mean a very poor distribution of stock—a measure absolutely against reasonable priced lobsters at any time of year, and a benefit to but a very few.

Mr. WHITE. May I ask a question?

Mr. LUFKIN. Certainly.

Mr. WHITE. I take it that both you and Mr. Tague have had a great deal of interest in this, because you have talked to me considerably for introducing it. As I understood this statement by your Massachusetts officer, whatever his name may be, it was directed primarily against the second section of the bill?

Mr. LUFKIN. Yes; I was going to touch on that.

Mr. WHITE. I was going to ask you if you have any serious objection to the first section of that bill?

Mr. LUFKIN. I would say, personally, after talking with the gentlemen who have come on here from Massachusetts, that I do not see any particular objection except that it would seem to me that the State of Maine ought to enforce its own laws rather than to ask the United States Government to enforce them.

Mr. WHITE. Of course, in a great many respects and with several subjects the Federal authorities have undertaken to aid the States in the enforcement of State laws; this is not any departure from the practice in that respect, but I do not care to argue it.

Mr. LUFKIN. In so far as the second portion of the first section of the bill is concerned, I think we should be very much opposed to it, for the reason that, whereas the State of Massachusetts has a local law making 9 inches the legal length of lobsters that can be taken, this section would prohibit shipping those lobsters in interstate commerce.

Mr. WHITE. If you took them in Maine, but not otherwise.

Mr. RANDALL. Suppose they are taken outside of the 3-mile limit?

Mr. WHITE. Under the first section it would not have any application to such a situation.

Mr. RANDALL. Under the second section?

Mr. WHITE. Under the second section, that is another story. But I was directing his attention specifically to the first section. The first section would not interfere with the proposition that you are just now advancing. It would only prevent a Massachusetts man from having 9-inch lobsters in his possession provided he took those lobsters or got those lobsters in violation of the Maine law. Now, it would seem to me that that is a fair proposition.

Mr. RANDALL. Haven't you a game warden's department in the State of Maine?

Mr. WHITE. Yes; but they have the notables up there in Massachusetts.

Mr. LUFKIN. In other words, your contention is that this second part—

Mr. WHITE. Applies only to the lobsters taken in violation of the laws of Maine in Maine waters.

Mr. LUFKIN. Oh, no; you say, "the importation or landing of or traffic in which is prohibited by section 2 of this act," and section 2—

Mr. WHITE. I thought you meant the last sentence.

Mr. LUFKIN. This part here is the part we disagree to [indicating].

Mr. WHITE. That part which you have here in brackets is what your objection would apply to?

Mr. LUFKIN. Yes. I contend under that particular sentence it would be unlawful for the lobster men to make interstate shipments of lobsters legally caught in their own waters.

Mr. WHITE. You are right on that.

Mr. LUFKIN. They could not ship to New York, Washington, or Chicago.

Mr. CHINDBLOM. For the record, what is the sentence you have in brackets?

Mr. WHITE. "\* \* \* or any lobsters, or parts thereof, the importation or landing of or traffic in which is prohibited by section 2 of this act." You are right as to that particular language.

Mr. LUFKIN. Because section 2 says that 10½ inches shall be the legal size for importation.

Now, Mr. Chairman, I do not want to take any more of the time of the committee except to say, as I think I have stated to Mr. White, that we concede the State of Maine should have the sovereign right to enact its own laws for the regulation of its own fisheries. And the people of Massachusetts certainly do not want to go on record as opposing that principle. But, on the other hand, we do object to the passage of a law which would reduce the amount of lobsters coming into Boston for our consumption and for the consumption of the rest of the country, by 60 per cent.

Mr. EDMONDS. Do you think this bill would reduce the amount of lobsters in Boston? [Laughter.]

Mr. LUFKIN. I am going to let Peter Tague qualify as an expert on that particular point.

There is just one other point I want to leave with the committee, and that is so far as the effect on the Nova Scotia industry is concerned. For 100 years now the United States and Canada have been in almost constant strife over our fisheries. We have had treaties and then the treaty would not work and one side or the other would terminate it and then we would find our vessels seized; then within a year or so we would get in new trouble down there and fines would be imposed and cargoes and fishing schooners seized, and so forth. But within the last three years (thanks to the joint commission composed of representatives of the American Government and the Canadian Government) things have been going along much more smoothly, and just at this moment a treaty has been practically agreed to between the two countries which we believe will do away with a great deal of the dissension and difficulty which has existed between these two countries in the past.

Mr. EDMONDS. And it would in effect reduce the amount of lobsters in your waters to the benefit of the amount of lobsters in Canadian waters?

Mr. LUFKIN. No; it would not have any effect in that way.

Mr. EDMONDS. It would where you would have all the lobsters eaten up down your way while Canada was growing them in the closed season.

Mr. LUFKIN. This would have very little effect on their supply; is not that true, Doctor?

Mr. SMITH. Yes.

Mr. LUFKIN. The point I want to bring out is that with the Canadians feeling exceedingly friendly toward us to-day in the matter of our fisheries, it would seem to me unwise to bring forward just at this time a law which would undoubtedly have a very serious effect on the lobster business in Nova Scotia. Of course, the Nova Scotia people do not use their own lobsters to any extent; they are either used in the canneries or they are sent to Boston for use by the American people. And while this legislation might be of great benefit to the canneries of Nova Scotia, it certainly would have the reverse effect upon the Nova Scotia fishermen.

I want to thank the committee, Mr. Chairman, for adopting the unusual course of giving the opponents of this measure a chance to be heard first, and to say—

Mr. CHINDBLOM. May I ask a question?

Mr. LUFKIN. Certainly.

Mr. CHINDBLOM. I seem to recall a time when it was possible for a man of ordinary means to order what was called a "baby" lobster. Does that come within the 10½-inch prohibition?

Mr. LUFKIN. That would be, I should say, about 9 inches, probably. I will say to the gentleman, I can recall the time when I could buy six short lobsters for a quarter, right at my own front door.

The CHAIRMAN. That was previous to 1913?

Mr. LUFKIN. That was when I was a boy.

Mr. CHINDBLOM. What is the so-called "baby" lobster in the market; is it less than 9 inches?

Mr. LUFKIN. Yes. But I think probably the "baby" lobster that you might order in the Blackstone Hotel in Chicago would be about a 9-inch lobster; is that right, do you think?

Mr. POWELL. Nine to nine and a half; weighing somewhere around a pound, as near as possible.

Mr. LUFKIN. It would be a perfectly legal lobster in Massachusetts and a perfectly illegal lobster in Maine. It would be a perfectly legal lobster in Nova Scotia where, as I said before, about 60 per cent of the lobsters of this country come from.

Mr. CHINDBLOM. Since we do not produce any at all in Illinois, they are perfectly legal there.

Mr. RANDALL. Has Nova Scotia any limitations?

Mr. LUFKIN. I think not. Has Nova Scotia any limitation on lobsters, Capt. Nickerson?

Capt. NICKERSON. No; not in the western county. In seven counties the size limit has been entirely abolished, and that was done by the federal government, evidently, for the purpose of giving the canners a chance.

Mr. CHINDBLOM. That is, of course, the federal government of Canada?

Capt. NICKERSON. Yes, sir.

**STATEMENT OF HON. PETER F. TAGUE, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF MASSACHUSETTS.**

Mr. TAGUE. Mr. Chairman, what I have to say will be very brief. I was asked to appear here by the commission men and the merchants of Boston, representing that great fishing district, the port that the fishermen come in to. And in that district, I suppose, are most all of the importers and dealers in lobsters.

I had wished to hear something or some good reason advanced for the passage of this bill. I have not heard it yet and I have studied the bill a little bit to see if I could find out why it was introduced. I know that in our market we use about \$4,000,000 worth of lobsters a year and that \$3,000,000 worth of those are imported from Nova Scotia. The number that come in from Maine are not a great many. And we have in our own waters a great many lobsters and men who fish for lobsters and I want to say I know from practical observation that at least one-half of the lobsters that are caught in Massachusetts Bay waters are caught outside of the three-mile limit. I have seen it done; I can see it from my own home in the summer. And we have a great many lobster men fishing off the coast of Massachusetts in the summer and they bring in their lobsters from outside, many of them from outside the five-mile limit.

Mr. RANDALL. Just a question right there: None of these Massachusetts fishermen are poachers up in Maine, are they?

Mr. TAGUE. There are a great many fishermen in Massachusetts who go up into Maine for lobsters and they have to obtain a license and furnish a bond, as I understand it, to do any business there. And I have never heard of any violation of the law or where a license had been revoked by the Maine authorities. There is no question in the world but what some lobster men bring in short lobsters, but if they are caught they are severely fined. I believe the fine is \$5 apiece.

Mr. WHITE. You do not believe Massachusetts fishermen should be permitted to go to Maine and violate the Maine law and get away with it, do you?

Mr. TAGUE. I do not think they do.

Mr. WHITE. Assuming they do, that is not the proper practice?

Mr. TAGUE. Of course the violation of the law is a violation by any man. I want to say I think this whole bill is aimed to help the cannery of lobsters, more especially as Capt. Nickerson has said, down in Nova Scotia where they can can any kind of lobsters they want to can and send into the United States 9-inch lobsters for sale and most of the lobsters run from 9 to 10 inches.

They talk about lobsters with a 3½ and 4 inch body. I have seen lobsters with a 4-inch body that would not reach 9 inches, and I have seen them thrown back in the water by the fishermen. The fishermen are a pretty honest lot of men in their dealings with the Government; they like to do what is right with the Government and they know they can not sell those lobsters in the open market—there is a fine.

I might say here, too, I was a member of the Massachusetts Legislature for many years, and we had this matter thrashed out. Years ago the law forbade a lobster to be taken in Massachusetts waters

under 10 or 10½ inches, and we amended the law because the lobster's meat is a good food product (it is used extensively), and the minute you are going to make it 10½ inches you make lobsters prohibitive for the ordinary workingman, who can not buy them.

Now I do not know what is behind this bill, what is the reason for it; there may be some good reason for it, but I do not know what it is.

Mr. EDMONDS. You do not include shipyard workers in that?

Mr. TAGUE. Yes; I include good shipyard workers.

Mr. EDMONDS. Can't they buy a good 10½-inch lobster?

Mr. TAGUE. They can buy a good 10½-inch lobster down in Pennsylvania, but not up our way where we have poor yards.

Mr. EDMONDS. They can at Fore River, too.

Mr. TAGUE. That is outside of my district, so I can not say. But, Mr. Chairman, I know the people of my district, the business men and dealers in lobsters, who send them all over the country, are absolutely opposed to this bill as it stands to-day. They are opposed to it because, as I say, it makes the price prohibitive; it sets back an enterprise which they have built up for many years and will be the means of destroying a business that means a great deal to the people not only as a food product but in a business way.

There are gentlemen here from my district in Boston who know the business; there are other gentlemen from New York, I understand. They want to be heard and I do not want to take up their time. They know more about it than I do; but I do know from outside observation, as a citizen and one who wants to eat lobsters once in a while (and like Mr. Lufkin, I have bought them for 5 cents apiece at my door when they were short lobsters and they were allowed to bring them in under 9 inches, but now that has gone by) that the 9-inch lobster is your market product.

Mr. CHINDBLOM. Can you tell, approximately, what part of the lobster industry of the country is centralized in Boston?

Mr. TAGUE. I can not tell that, exactly.

Mr. CHINDBLOM. It is the largest market in the country for lobsters, I presume?

Mr. TAGUE. As I understand it, the lobster market and fish market of Boston is the largest in the country.

Mr. WHITE. About 5 per cent of the lobster catch of the country is in Massachusetts.

Mr. CHINDBLOM. And what part of the distribution?

Mr. TAGUE. Two-thirds. No, I won't say two-thirds, but over half of the distribution is in Boston. Most of the lobsters that are caught in Maine come down into the Boston market.

Mr. RANDALL. From your experience, if this bill should be enacted into law, would it not eventually make it possible for the man of ordinary means to have 10½-inch lobsters?

Mr. TAGUE. No; for this reason, that in Nova Scotia they can use any size lobster. When the lobster is small, and the young lobsters, as I understand it, it is almost impossible to can them—to put them into cans; but when they get up to 8 and 9 inches, they can take that lobster and they can can it and they can form a trust in the lobster business that will drive the entire enterprise out of this country.

Mr. EDMONDS. They have only a very short open season in Nova Scotia?

Mr. TAGUE. Yes; but they have a season that is the best lobster season, during the months of April, May, and June. That is really the best lobster season. They do not get any lobsters at this time of the year, as I understand it.

Mr. EDMONDS. But don't they come down and fish in your waters when they can not get lobsters up in their waters, and even if they have a closed season they can take them up there and can them?

Mr. TAGUE. I do not think so; no.

Mr. EDMONDS. Outside of the 3-mile limit?

Mr. TAGUE. I suppose up along the coast of Maine they might do that outside of the 3-mile limit; but I do not think there are many of them down in Massachusetts doing it, because we have only a very small area anyway and Massachusetts can take care of this pretty well.

Mr. CHINDBLOM. It has been said that the lobster is rapidly diminishing as a commercial commodity?

Mr. TAGUE. I have heard that argument since I have been a small boy and I have heard that statement before the Massachusetts Legislature so many times, men coming in there and saying unless we put the size of the lobster up to 10 inches instead of 9, that inside of 10 years there would be no lobsters, and there are more lobsters to-day than there ever were in the history of the business.

Mr. DAVIS. What is the average size of the lobster?

Mr. TAGUE. About 9 or 10 inches; nearly all of the lobsters sold on the markets are about 9 or 10 inches.

Mr. DAVIS. How old are they before they attain that size?

Mr. TAGUE. I do not know that.

Mr. CHINDBLOM. How large is a full-grown lobster?

Mr. TAGUE. About 9 or 10 inches.

Mr. EDMONDS. They grow up to 25 or 30 pounds.

Mr. TAGUE. I do not believe anybody would want to eat a 30-pound lobster. It would be just like eating a piece of leather.

Mr. WHITE. They would not want to eat it at one sitting. [Laughter.]

Mr. EDMONDS. I think you said you imported from Nova Scotia \$4,000,000 worth of lobsters.

Mr. TAGUE. About \$3,000,000.

Mr. EDMONDS. You meant 3,000,000 pounds, did you not?

Mr. TAGUE. I stated \$3,000,000 worth of lobsters.

Mr. EDMONDS. The entire pack in Nova Scotia last year was only \$1,396,000.

Mr. TAGUE. Where was that, did you say?

Mr. EDMONDS. In Nova Scotia.

Mr. TAGUE. My impression is that it is \$3,000,000, and our entire business in the Boston market is \$4,000,000, and only \$1,000,000 worth of lobsters were caught in Boston.

Mr. EDMONDS. The entire export from Nova Scotia is 4,831,000 pounds.

Mr. TAGUE. Perhaps I have the figures crossed, but as I understood it it was dollars.

Mr. EDMONDS. This is the commerce report from the consul up there.

Capt. NICKERSON. Mr. Chairman and gentlemen, would I be allowed to offer just one word of explanation there?

The CHAIRMAN. You will all be given a chance to be heard, but we want to hear those who have to get away first. Now, Mr. Peters, would you like to be heard?

**STATEMENT OF HON. JOHN A. PETERS, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF MAINE.**

Mr. PETERS. Just a word. This matter has just been called to my attention for the first time, and I can see that it probably brings up the same old question as to whether all the lobsters should be eaten now or whether they shall be preserved as an article of diet and a product of business for future generations. That question has always been thrashed out in the legislatures of the States, and Maine has come to the conclusion that a 10½-inch lobster, or whatever the law is, is the proper size. As to whether that is correct or whether some other length is more advisable, I do not know. I take it these gentlemen from the Fisheries Commission are the experts we rely upon for that information, and I take it whatever views they have here, well digested as they must be, and subject to your examination, will be the view that will receive great weight from your committee, much more so than anything I can advance along those scientific lines.

In its larger nature the question involves, of course, the point as to whether the lobsters (which, of course, are rapidly rising in price and becoming very scarce) should be preserved or whether they should all be eaten up now.

As to the principle involved in the first part of the bill, that the laws of Maine should be allowed to prevail and that the interstate-commerce power should be used to assist the enforcement of those laws there can not be any difference of opinion. There is just as much reason why this should be done as there is why a person who has a horse he has stolen in Maine should be allowed to carry it into Massachusetts; because if these lobsters are taken illegally in Maine it should be permitted, in such a case as that, to prevent the use of the facilities of the United States to help infringe the laws of Maine. Nobody, when you come right down to business, can really question the wisdom of that policy and, as to the larger policy, as I said, the experts employed by the Government are the people whose advice I should rely upon more than I should that of any interested parties, whether they come from Maine, Massachusetts, or anywhere else.

Mr. WHITE. I will now call Mr. Wilbur. Please state your full name and tell us in what capacity you appear.

**STATEMENT OF MR. HARRY C. WILBUR, MEMBER OF THE MAINE SEA AND SHORE FISHERIES COMMISSION.**

Mr. WILBUR. Harry C. Wilbur. I am one of the three members of the Maine sea and shore fisheries commission.

Mr. WHITE. Now go ahead in your own way and state what you have to say in regard to the bill.

MR. WILBUR. I would like to say just a word as to the origin of this bill. The first step grew out of a conference in the city of Boston between Secretary Redfield and Mr. Sweet and the members of the Maine sea and shore fisheries commission.

MR. WHITE. Who is Mr. Sweet?

MR. WILBUR. He is the assistant secretary of commerce. The only idea then in anybody's mind—I think the original idea came from me and was founded on the liquor law. We have tremendous difficulties in Maine from the smacks of Massachusetts coming into Maine and taking our lobsters by the thousands. Maine has 2,500 miles of coast line, deeply indented, covered with outlying islands, and it is possible for a vessel to lie behind an island, as they do, put out their lights on the rigging, catch the lobsters and go off. Now, the only question in our mind was to say (and it seemed eminently fair to everybody) that that article, illegally taken, should not be an article of interstate commerce.

There is nothing novel in the legislation; it has been done in the ornamental and game birds. This act was founded on the game-bird act (a splendid act), liquor, and so on. That is all that was in our mind; not to infringe on the rights of any other State, but simply an attempt to protect a dying industry.

Mr. Tague, the Representative from Massachusetts, has said a question exists as to the state of the lobster industry. I say here, now, without any qualifications, and bearing in mind how I may be contradicted, there never has a man written on the subject, nor is there any State report or United States report dealing with the lobster industry, that does not say it is rapidly coming to an end with the present state of affairs. It is not debatable. I submit that any and every authority will sustain me in that position. And I will say this: There is not a man who has studied this question and written about it, who does not say that a 9-inch law means the extermination of the lobster speedily. Massachusetts has a 9-inch law. It used to have a 10½-inch law.

The Massachusetts 9-inch law was put on the statute books of Massachusetts to deal in 9-inch lobsters and for no other reason. I have here a letter from the Hon. Curtis Curley, ex-governor of Massachusetts, in which he says that the Massachusetts law was put on the Massachusetts statute books by a deliberate fraud. It was the idea there was need for conservation of the lobster industry, and they agreed if they would pass a 9-inch law and if he would not veto it that they would work at the next legislature for a conservation measure—a law along conservation lines.

There are no complete statistics available for the last few years. I have here the last United States statistics compiled, as far as I know, after a canvass of the lobster industry. At that time Maine had more men engaged in the lobster industry than all the other States put together almost twice over. It is a big industry to us. And I want to impress this on your minds, if I can—it is the only object I have here—on the coast of Maine we have at the present time 3,280 lobster fishermen licensed, and I will say they are the finest type of men that exist in America. They are living along our coast and on a great many of the outlying islands and they have made a good living. They are not beggars. I lived for a long time in a lobster-fishing

town teaching school, as a youngster, and I saw them. The children all go to high school and they all have a piano in their homes and they make a good living. They are the second, and some of them the third, generation of lobster fishermen. There is nothing else they can do. We do not have shipyards down where they live; we do not have these other industries. Now we need to protect them if we can, if there is any way in this world to do it, and that is our only idea. We do not want to hurt Massachusetts; we do not want to hurt New York. I like to go and buy a lobster, but I will submit under the present state of the liquor law it is sort of an imposition for a man to take his girl to the café and order a lobster and be served with a 9-inch lobster. Now, the truth is, as a rule these lobsters are caught on the coast of Maine. We have attempted to prevent that by our State law.

Speaking of the first section, I claim it is rather decent, legitimate, and proper and is a part of the fundamental duties of the National Government that they aid the State in the protection of its industries. We do not ask any more. They say this is a Maine measure. I noticed in the 14 points, bar two, that it was a Maine measure; and the same thing applies to New York, or Rhode Island, or Massachusetts, but if you will read or consult the latest statistics you will see how few of the men there are affected, as compared to the thousands of us.

Mr. CHINDBLOM. Where are those statistics to be found?

Mr. WILBUR. This is in the annual report of the Commissioner of Fisheries for the year 1915, on page 38.

Mr. RANDALL. Is there not a later report than that?

Mr. WILBUR. Yes; there are the annual reports, but I do not think they contain a canvass of the lobster fishermen. I have the reports here, but there has been no canvass since that date. I asked Dr. Smith this morning and he said this was the last canvass of the fishing industry that had been made.

Mr. WHITE. What percentage of the lobster catch in this country, in pounds, is from Maine waters or off the Maine coast, roughly?

Mr. WILBUR. An absolutely overwhelming proportion; more than all the others put together, twice over, I will say, without consulting it.

Mr. WHITE. This first section, as I understand it, then, is designed simply and solely as an aid to the protection of that industry, which happens to be located largely in Maine waters?

Mr. WILBUR. Yes.

Mr. WHITE. It seeks to protect that industry by forbidding the movement in interstate commerce of lobsters that are caught in violation of the law of the State where the lobsters happen to be; that is all?

Mr. WILBUR. That is all.

Mr. WHITE. And that would apply equally to New York, Rhode Island or any other State?

Mr. WILBUR. Yes.

Mr. WHITE. In other words, if the legal limit in New York is 9 inches, this law would forbid a Connecticut fisherman going in there and taking an 8-inch lobster?

Mr. WILBUR. That is all.

Mr. WHITE. And moving it in interstate commerce?

Mr. WILBUR. That is all there is to the first section. Now, it does not seem to me that anybody can say there is any lack of fair dealing in that section.

Coming to the second section, we have heard something about Canada. There is nothing said in this bill—

Mr. CHINDBLOM. Before you leave that, let me ask you this question: Would that first section be effective as to lobsters caught outside of the 3-mile limit?

Mr. WILBUR. No. There is no law outside of the 3-mile limit. A man can catch a 7-inch lobster or any other size; there is no law regulating the taking of lobsters save as the States have made it, and their jurisdiction ceases with the 3-mile limit.

Mr. CHINDBLOM. Yes; I understand that. Just one further question along that line: Are many lobsters taken outside of the 3-mile limit?

Mr. WILBUR. Very few. It has been a question that the courts have debated in this country from its foundation as to where the 3-mile limit was. I suppose there are a number of attorneys whom I am addressing, but if any man here feels qualified to say where the 3-mile limit is off the Massachusetts or off the Maine coast, I think he would have some job to consult the authorities and make any of them agree. I have relied on the opinion which was made by the greatest admiralty lawyers in this country when they moved the *Kronprinzessin Constantia* from Bar Harbor to Boston. We were not then at war, and they feared English attacks and wanted to keep her in the jurisdictional waters of the United States, and there was a controversy over the question, because of the variety of opinion as to where the 3-mile limit was in Maine.

Mr. WHITE. Can you express an opinion as to what percentage of the lobsters are taken outside of the 3-mile limit adjacent to Maine waters? Have you any figures available on that?

Mr. WILBUR. No. I could express an opinion, but it would not be worth much.

Mr. WHITE. We would be glad to have your opinion.

Mr. WILBUR. I think there are very few lobsters caught outside of the Maine waters. There have been times when out-of-the-State smacks have laid outside of the jurisdictional waters and had our fishermen go out to them again and again; but as you probably all know, lobsters move on and off the shore seasonally and in the winter time the lobster seeks the deep water. There are places on the coast of Maine undoubtedly where men are fishing beyond the 3-mile limit in 50 and 60 fathoms of water, but it is a pretty rigorous calling.

I will say this, that if the second section is passed every smack now running in Massachusetts will go to Nova Scotia just the same; she will go down there and she will buy lobsters there from Nova Scotia and bring them into the markets here. Of course, they will cost more. Now, the Maine smacks go into Nova Scotia waters and buy lobsters under our Maine measure, in competition with the Massachusetts smacks. The result is our fishermen have to pay more for exactly the same catch of lobsters, because they can take down the 9, whereas we are only allowed to take down to our present measure, which is between 10 and 10½ inches. We now measure from the eye socket to the end of the body shell. The caparace measure means

from the middle of the snout. That was always getting broken off, and when you go to the eye, one eye might be higher than the other and would not measure the same distance to the end of the shell. And we would very much like to see now this bill made  $3\frac{1}{2}$  inches eye-socket measure; then we will avoid all question about broken noses. To have a similar measure to meet Massachusetts on that problem you would make it 4. If you would do that, our difficulties would be over, as far as the measure goes.

Mr. WHITE. That is, you would strike out  $10\frac{1}{2}$  inches and also strike out  $4\frac{1}{2}$  inches and make it  $3\frac{1}{2}$  inches eye-socket measure?

Mr. WILBUR. From the eye socket to the nearest point on the rear of the body shell and give the fishermen the benefit of the doubt if one eye socket is farther back than the other.

Mr. DOWNS. How large will that lobster be?

Mr. WILBUR. Eighty-five of them out of a hundred will average a pound.

Mr. DOWNS. What will the length be of the whole lobster?

Mr. WILBUR. He will be better than 10 on the average and less than  $10\frac{1}{2}$ .

Mr. DOWNS. You can not go by the weight, because some weigh more than others.

Mr. WILBUR. Yes. Some of them are chunkier than others. About  $10\frac{1}{2}$  on the average is as near as you can come to it; between that and 10.

Now, the Massachusetts 12 points say that this thing interferes with State rights. It in no way infringes the rights of the States to do as they please with their own lobsters—in Maine, Massachusetts, or any place else. It simply says that whatever the Massachusetts law is, whatever the Main law or the New York law is, that under that law those lobsters are protected in interstate commerce shipment.

Without trying to say anything more, I would be very glad to answer questions.

Mr. TUTHILL. I would like to ask wherein that bill says it does not interfere with any of the States' rights? Does it not say we can not bring in lobsters, if caught beyond the 3-mile limit, that are less than  $10\frac{1}{2}$  inches?

Mr. WILBUR. Yes.

Mr. TUTHILL. Does not that interfere with our State rights?

Mr. WILBUR. Those are caught out of the jurisdictional waters. As far as the jurisdiction of the States extends, I think is the way we use the term "State rights."

Mr. TUTHILL. Then we can not transport those 9-inch lobsters if this bill becomes a law; we can not transport from one State to another any lobster less than  $10\frac{1}{2}$  inches, can we?

Mr. WILBUR. Oh, yes; you can transport all your 9-inch lobsters caught off Long Island, in the waters adjacent to it, anywhere in the world.

Mr. TUTHILL. Except in Maine?

Mr. WILBUR. You can not sell in Maine. Oh, no; because our law makes it illegal to have lobsters less than that in your possession.

Mr. TUTHILL. You can not take them outside of the 3-mile limit and do it?

Mr. WILBUR. No. It only applies to lobsters caught in jurisdictional waters.

Mr. DAVIS. You and Mr. White have indicated you have had some considerable difficulty in enforcing your State law by State officials, and for that reason you want the assistance of the Federal Government?

Mr. WILBUR. Yes.

Mr. DAVIS. I want to ask you if you can give any estimate as to the number of Federal officers that would be required and the approximate cost for the Government to enforce the provisions of this bill if it be enacted into law?

Mr. WILBUR. My belief is this: Men have a very wholesome respect for the Federal law. The bill goes to the carrier as well as the shipper, and the man who was a carrier would not receive it. I do not believe it would take a dollar or an official to enforce this law. If this law was on the statute books, they would depend on the State officials to make any complaints, as the cases arose, in the district courts of the United States. I think the law would be enforceable without any expense whatever.

Mr. TUTHILL. Your fishermen would go and fish in Nova Scotia?

Mr. WILBUR. No, sir. There are 10 different closed times in Nova Scotia. They do not all agree, but they practically fish only for three months in the year and then nine months is closed time. The reports of Canada will show most vividly the story of the decline of the lobster. The Canadian reports, which correspond to our United States Bureau of Fisheries reports—I have the last two or three of them here—if anyone will read them they will show what has happened to the lobster industry in Nova Scotia. Fifty per cent of the canners have had to stop.

Mr. EDMONDS. You do not bring 9-inch Nova Scotia lobsters into Maine now?

Mr. WILBUR. No.

Mr. EDMONDS. You do not allow them to land there at all?

Mr. WILBUR. No; we are not allowed to have them in our possession.

Mr. EDMONDS. When your fishermen catch the 9-inch lobsters do they go outside and sell them down in the other States?

Mr. WILBUR. Yes. It is human nature; and if they can get them to sell, they will do so.

Mr. TUTHILL. Why is that last clause put in that bill if it does not affect the canner?

Mr. WILBUR. Simply because the United States is the consumer of the Canadian canned lobster, and I presume they wanted to allow them to ship the canned lobsters in here, but we have no interest. Some one said this was a Canadian bill. We do not care a snap about Canada, but we do want our jurisdictional waters protected by whatever help the National Government can give us, and if the position we assume is unfair, we do not even ask that. We assume it is fair to all the States to say that whatever their law may be, they shall only ship in interstate commerce lobsters legally caught; and then we ask further—and this is only for the conservation of the lobster industry; it is not because it is the Maine law any more than it is a Massachusetts law—that for the conservation of the lobster industry they will stop the extrajurisdictional fishing.

Mr. DAVIS. In that same connection and with reference to the cost, how could it be determined, without a large force of patrolmen in the waters, in what States these lobsters were caught? Of course, if they were correctly labeled at the time they were placed in interstate shipment, what you said a while ago would apply; but how could it be determined, before they entered into shipment, where they were caught without a large force of patrolmen?

Mr. WILBUR. The only question that arises with us is between Maine and New Hampshire, but they have a very short coast line and very few fishermen; and our law requires the fisherman to mark his buoy differently than they do in New Hampshire, and we have no difficulty in telling just what lobsters they have caught in Maine.

Mr. DAVIS. How many State patrolmen have you, on the average, to enforce the State laws in regard to the lobster industry?

Mr. WILBUR. Twenty, on 2,500 miles of coast. Maine is poor and has been niggardly with its sea and shore fisheries department.

Mr. TAGUE. Do you know how many Massachusetts has?

Mr. WILBUR. No; I do not. I know the men in Boston, but I do not know how many there are along the coast.

Mr. CHINDBLOM. State officials can enforce a Federal law, of course?

Mr. WHITE. Certainly. If we get this authority, these State officials can take the violators into court; it does not necessarily call for an increase of officials, it simply gives the existing officials another cause of action against the man who proceeds in violation of our law.

Mr. DOWNS. There may not be a duplication of officers to deal with it, but there will be.

Mr. WHITE. Not unless this Congress authorizes it.

Mr. DOWNS. Then it has no effect.

Mr. DAVIS. Section 5 of this bill provides that it shall be the duty of the Secretary of Commerce to enforce the provisions of this act, and he is authorized to empower such officers, employees, etc. That is a very broad provision.

Mr. WHITE. But there is no appropriation for it.

Mr. WILBUR. May I read, in conclusion, just one sentence from the report of the Commissioner of Fisheries for the year 1915?

Mr. CHINDBLOM. That is the United States commissioner?

Mr. WILBUR. Yes. The welfare of the lobster industry demands at the hands of the Federal Government the immediate rendering of the most effective form of assistance that can be extended to the States.

Mr. TUTHILL. May I ask this gentleman if they have any State hatcheries down there?

Mr. WILBUR. The United States had a hatchery which it maintained at Booth Bay Harbor, but they have abandoned it.

Mr. TUTHILL. Why did they abandon it?

Mr. WILBUR. Dr. Smith can answer that question better than I can.

Mr. CHINDBLOM. Let me ask whether you can answer the question, or some one else, as to what are the habits of the lobster with reference to moving up and down the coast?

Mr. WILBUR. It has no lateral movements. They move out and back, but their movements along the shore are very, very restricted. It moves on and off shore, but not up and down.

Mr. CHINDBLOM. So that lobsters on the coast of Maine won't move down to the Massachusetts coast or up to the Nova Scotia coast?

Mr. WILBUR. No.

Mr. CHINDBLOM. That was my understanding, but I wanted to make sure.

**STATEMENT OF DR. HUGH M. SMITH, COMMISSIONER UNITED STATES BUREAU OF FISHERIES.**

Dr. SMITH. Mr. Chairman, I would like to correct any misimpression or wrong impression that may have been created in regard to this bill. The Department of Commerce is not sponsor for it and has not advocated it except to the extent it is willing to aid any State that wants assistance. The bill was prepared in the Department of Commerce as to its legal form by the solicitor of the department, but the measure originated with the Maine commissioners of sea and shore fisheries. We have felt we owed to this measure our support to the extent that we ought to help the State of Maine in correcting an abuse which has been flagrant, which has continued for many years, and which the State itself seems unable to correct—that is, the traffic in lobsters taken in Maine waters or off Maine waters, which is practically the same thing, in violation of the laws of the State of Maine.

I have not any argument to submit, but I have one or two observations bearing on this bill, and, if you will bear with me for a few minutes I will present them. I think from the standpoint of the general consumer the lobster situation is gloomy, not to say almost hopeless. And it is my belief, based on a personal knowledge of the lobster industry for 30 years or more, that nothing short of radical action on the part of those most interested can restore the lobster to anything like its former abundance, and nothing short of radical action can prevent its going still further into the category of luxuries reserved for the favored few. Any talk of lobsters being purchasable at a moderate price is quite beside the mark; the contrary is a well-known fact.

The fishermen as a rule are quite satisfied with the situation that exists, because they are making much larger money returns from the lobster industry than ever before; they are getting far greater returns from the lobster business than when lobsters were abundant.

The CHAIRMAN. That is on account of the high cost of living?

Dr. SMITH. That came before the high cost of living was so manifest. For instance, the lobster fishery as a whole, to quote from a statement on this subject I made a number of years ago, has presented an interesting anomaly in a yearly declining output and a yearly increasing income of the fisherman. Going back 24 years previous to that date, to 1889—

Mr. CHINDBLOM. What is the date to which you refer?

Dr. SMITH. 1915, when the bureau gathered complete statistics of the fishery. It appears that the catch in this recent year showed a decrease of 18,000,000 pounds, or 60 per cent, while the receipts of the fishermen increased \$1,500,000, or 178 per cent. What this has meant to the consumer is readily appreciated by every one who has had to buy lobsters either regularly or occasionally.

The comparative statistics which are available, representing canvasses that we have made from time to time, show the tremendous loss which the State of Maine in particular has sustained through failure to secure proper protection for the lobsters. From the maximum yield obtaining in the years 1887, 1888, and 1889, when the climax of the lobster industry of the country was reached, there was a meteoric fall in 24 years to less than 30 per cent, while in the last 11 years of that period the decline was nearly 40 per cent.

Mr. WHITE. What part of the lobster catch of the country comes from Maine waters?

Dr. SMITH. Much more than half the catch has always come from Maine waters.

Mr. WHITE. Of the entire country?

Dr. SMITH. Of the total lobster catch, including all the importations from Canada.

Mr. WHITE. Including all the importations from Canada?

Dr. SMITH. Yes. It is our belief that any steps which Congress can take that will aid the States in protecting their lobster resources will undoubtedly be in order and will be duly appreciated in the States. Those steps which I have particularly in mind in the light of the pending bill are, first, the regulation of the interstate traffic so that no State would have its lobster supply exploited or dissipated by other States; second, the assumption of jurisdiction over lobsters landed from extraterritorial waters, to the end that those waters might be reserved or protected so that they would be feeders of the inshore waters. The facts in the case are that these off-shore waters are of very little value as producers at the present time, and they might very well be left as preserves from which a supply can come in to restore and restock the in-shore waters.

I am surprised at the statement of Mr. Tague in regard to the extent which Massachusetts fishermen operate for lobsters beyond the 3-mile limit, because only yesterday I was speaking to Dr. George W. Field, who was for many years chairman of the Massachusetts Commission of Fisheries, and who stated he did not recall any fishing in waters beyond the State jurisdiction, except occasionally vessels used to clear for Cashes Bank, and it was very generally understood they were bound for the Maine coast.

Mr. TAGUE. I will say to the gentleman I am very familiar with it, because I have been out with them. And I know they do fish outside of the 3-mile limit, no matter what Prof. Field says.

Dr. SMITH. The restriction which this bill imposes is doubtless simply a recognition of the maximum of protection now afforded to the lobsters in the United States, and if other standards of protection should be adopted in the States they should undoubtedly be given weight in any measure which Congress might consider. Even now, as an advance step in the direction in which the States will ultimately have to proceed, Congress might very properly prescribe a double standard for lobsters taken beyond the jurisdiction of the States.

I may say that practically every protective feature incorporated in this pending bill was advocated at a conference in 1915 of the representatives of all the lobster-producing States from New Jersey to Maine, the representatives being officially appointed by the gov-

ernors of the respective States. The resolutions which they adopted, were prepared by the chairmen of the fishery commissions of Maine, Massachusetts, and Rhode Island, and among the provisions of the recommendations of that conference were the following:

Protection of the adults, male and female, above and below the optimum market size, the so-called "double gauge" or double standard, which Massachusetts was advocating but which the legislature failed to approve, adopting only the minimum limit and leaving the upper limit without any regulation.

State regulation of methods of capture and possession, and Federal regulation relative to interstate shipment.

Finally, setting aside suitable places for breeding purposes, upon which fishing is regulated. Such places I conceive to be covered by this bill in its features which prevents the landing from extra-territorial waters of lobsters below a certain size.

I would like to file a report of this lobster conference for the record. The report is contained in the Fisheries Service Bulletin for August, 1915.

(The report referred to is as follows:)

#### LOBSTER CONFERENCE.

A conference on the lobster industry was held at the United States fishery station at Woods Hole, Mass., on July 12, pursuant to an invitation extended by the Secretary of Commerce. Each of the lobster-producing States from Maine to New Jersey, inclusive, was represented by official delegates designated by the governor, in addition to which there were in attendance a number of biologists who have devoted much attention to the lobster, together with the United States Commissioner of Fisheries, the Deputy Commissioner of Fisheries, and several other members of the bureau's staff. At the conclusion of the conference the following resolutions, offered by a committee consisting of Mr. John L. Donahue, of Maine; Dr. George W. Field, of Massachusetts; and Mr. Charles W. Willard, of Rhode Island, were adopted:

"Whereas this convention fully recognizes the fact that the pioneer efforts of the United States Bureau of Fisheries in restraining the short-sighted practices of fishermen and others in destroying the eggs of the lobster have been well devised, economically administered, and beyond question have resulted in vast benefits, not alone to the fishermen themselves, but also to the consuming public; and

"Whereas the unwise methods of exploiting the lobster fishery, which have resulted from the constantly increasing public demand for the lobster as food, have led to an unmistakable and alarming decrease in the source of supply which must shortly menace the best interests of fishermen, dealers, and the public of the entire United States and of the Canadian Provinces; and

"Whereas we are of the opinion that the Bureau of Fisheries is, by training and experience, amply competent to deal with this great problem if supported by Congress and the people: Therefore be it

"Resolved, That we hereby express our unqualified confidence in the Bureau of Fisheries and urge the public necessity of checking the enormous economic waste now existing, particularly in the destruction of lobster eggs and of lobsters below and above the optimum market size, the avoidable loss both in capture and in transportation, the unfair practices in interstate shipments, and the insanitary methods of marketing lobster meat; and be it further

"Resolved, That the delegates to this convention pledge support in securing from Congress the Federal legislation and appropriations essential for adequately extending the work to the required activities relating to consideration and adoption of improved practices necessary for—

"(a) A greater annual natural production of lobster eggs; and

"(b) The rearing of a greater number of young from the eggs naturally produced.

"We are of the opinion that a union of public effort is necessary for securing progress in increasing the annual production of lobsters through extending the efforts for:

- "1. Salvage of eggs.
- "2. Rearing the young for such a period and by such methods as may best minimize the natural destruction during the swimming period.
- "3. Protection of the adults, male and female, above and below the optimum market size (the so-called "double gauge").
- "4. Measurements made on the carapace, thus minimizing the personal equation in legal measurements.
- "5. Licensing all lobster fishermen and dealers for the purpose of securing facile enforcement of laws.
- "6. State regulation of methods of capture and possession, and Federal regulation relative to interstate shipment.
- "7. Setting aside suitable places for breeding purposes, upon which fishing is regulated.

"*And be it further resolved*, That a copy of this resolution be sent to the honorable the Secretary of Commerce, to the honorable Commissioner of Fisheries at Washington, and to their excellencies the governors of all the States of the Union, with the request that this be given consideration at the Conference of Governors soon to be held at Boston."

Dr. SMITH. Just one other point. I believe all of you gentlemen will agree with me that it is a great public misfortune that the lobster supply has been allowed to dwindle.

Mr. HARDY. Will you allow me to stop you there just a moment?

Dr. SMITH. Certainly.

Mr. HARDY. You say it prohibits the landing from extraterritorial waters of lobsters below a certain size. Does it not also prohibit the importation by land of lobsters under that size?

Dr. SMITH. The States would look after that phase of it.

Mr. HARDY. Would not the Federal Government have the authority to interfere in interstate commerce or to govern interstate commerce as to those matters?

Dr. SMITH. That is covered by the bill, sir.

Mr. HARDY. You spoke about the landing, and I wanted to know if it also covered the importation from inland points.

Mr. WHITE. It says bring into or land.

Mr. HARDY. Landing means bringing into, then, whether from the seacoast or across the borders?

Dr. WHITE. It says to bring into or land—both ways.

Mr. HARDY. I just had reference to the importation.

Dr. SMITH. I am so optimistic as to feel that under proper treatment the lobster supply might have remained almost unimpaired, to the great benefit of the fishermen and consumers, but at the present time no one can say that the lobster situation is satisfactory. The whole lobster catch of the United States would not afford the people of Greater New York half a pound of lobster meat per person in 365 days, and the entire lobster product of New England, plus all the fresh lobsters imported from Canada, would not provide the people of greater Boston with a quarter of a pound of lobster meat per person once in three months. So it is evident that the lobster is no longer a staple food.

The conditions were such in 1889 that the lobster was a staple marine food product. Then the catch ran away up into the millions—30,000,000 pounds or more—with every prospect that with proper attention a big catch might have been maintained.

Mr. CHINDBLOM. What was the proportionate catch last year—the catch that would be proportionate to the 30,000,000 you mentioned?

Dr. SMITH. We have no general statistics for any more recent year than shown here.

Mr. CHINDBLOM. What was it in 1915?

Dr. SMITH. The catch then was 12,000,000 pounds, but the value of the catch then was \$2,394,000 to the fishermen, as against \$861,000 to the fishermen for over 30,000,000 pounds in 1889.

Mr. CHINDBLOM. Of course there was a largely increased demand and smaller supply; that is economic law.

Dr. SMITH. Yes, sir.

Mr. DAVIS. Have you any available statistics as to the number of lobster fishermen 30 years ago and in the year 1915?

Dr. SMITH. Yes, sir; we have complete statistics.

Mr. DAVIS. About what was it?

Dr. SMITH. I have not the figures here. The reports of the Massachusetts Fisheries Commission are quite illuminating as showing the catch of the fishermen in former times and now—the average catch per pot and the average catch per man.

Mr. TUTHILL. My experience, Doctor—I have been a fisherman for 50 years, and this past year was the best lobster year there has been in years.

Dr. SMITH. I have heard the same statement from the coast of Maine every year for the past 25 years.

Mr. TUTHILL. Yes, sir; and that I know in regard to New York State.

Dr. SMITH. The lobster catch in New York is absolutely insignificant.

Mr. TUTHILL. Oh, yes; it only helps a little bit.

Dr. SMITH. I have some figures showing the Massachusetts lobster fishery as published in the annual report of the commissioner of fisheries and game for 1916, and the catch is shown for many years. The average catch per trap is given for five-year or six-year periods going back to 1888. In the six-year period beginning in 1888 the lobster men got 76 lobsters per pot per annum. In the next five years, ending in 1898, the catch had dropped to 49 lobsters per pot; in the next five years to 36 lobsters; in the next five years it was 40 lobsters. In the last five years that are compiled, ending in 1914, the catch was 30 lobsters per pot per annum. It should be noted that prior to 1907 the lobsters shown were over 10½ inches long; from 1907 on the size limit was 9 inches.

The question has been raised as to what effect the second section of this bill would have on the Canadian lobster trade and considerable solicitude has been expressed in regard thereto. In view of the fact I had recently been in conference with the Canadian fisheries department on general fishery relations, I felt justified in sending a copy of this bill to that department for an expression of opinion, and I have before me a letter from the superintendent of the fisheries department of Canada, dated January 10. He says:

While there is a 10½-inch size limit for lobsters in the waters of Charlotte County, New Brunswick, and a 9-inch limit in the upper portion of the Bay of Fundy, along the coast from Halifax to Digby County, inclusive, where the major portion of the live-lobster industry is carried on, there is no size limit and canning is conducted to a limited extent; but the season in which fishing is allowed

is comparatively short, running, as it does, from the 1st of March until the end of May. The weather conditions in the first two months are such as to make intensive fishing then impracticable. At the present time practically all the lobsters 9 inches long and over are sold in the shell, nearly all of them going to the United States. The result of the prohibition of the importation of lobsters less than 10½ inches long would, consequently, exclude a large percentage of the lobsters now exported alive. What this percentage would be I am endeavoring to ascertain.

In view of the fact that there is no size limit on that portion of the coast, the effect of such prohibition would not be to stop the catching of these shellfish but to transfer those between 9 and 10½ inches to the near-by canneries. At the present time the price of canned lobsters is so high that there would be extremely strong opposition on the whole coast to the prohibition of canning or the adoption of a size limit which would have that effect.

Just one other reference to the importation of lobsters from Canada. I have the figures for a number of years, the last complete year being the calendar year of 1918, taken from the consular reports; the 1919 figures are not yet compiled. The canned lobsters brought into this country from Canada in the 1918 calendar year amounted to 2,408,000 pounds, valued at \$972,000, about 40 cents a pound to the producer. The fresh lobsters brought in during the same year aggregated 3,754,000 pounds, valued at \$738,000—about 20 cents a pound.

MR. WHITE. How does that compare with previous importations; do know, Doctor?

DR. SMITH. The importations in the years prior to 1918 were somewhat heavier as regards fresh lobsters. In the years 1912, 1913, and 1914, for instance, those importations ran over 5,000,000 pounds annually.

MR. TAGUE. That is fresh lobsters?

DR. SMITH. Fresh lobsters.

MR. TAGUE. As against 1,162,000 in 1918?

DR. SMITH. As against 3,754,000 fresh.

MR. TAGUE. You canned over 2,408,000, according to your figures.

DR. SMITH. I have the canned lobsters shown separately on the sheet.

MR. TAGUE. What is that?

DR. SMITH. For what year?

MR. TAGUE. 1912, 1913, and 1914.

DR. SMITH. 3,257,000 in 1912.

MR. TAGUE. That is fresh lobsters?

DR. SMITH. No, sir; canned.

MR. TAGUE. What is it for the fresh?

DR. SMITH. 5,472,000.

MR. EDMONDS. Have you any closed season on lobsters in any of the States?

DR. SMITH. Not so far as I am aware. I think fishing for lobsters is carried on every day of the year.

MR. EDMONDS. Would not the entire result of what you are trying to do be accomplished if there was a closed time at a certain season of the year when the lobsters are breeding?

DR. SMITH. The difficulty is that lobsters carry their eggs for 8 to 10 months externally, so that if you kill them at any time during that long period you are doing just as much harm as you would immediately before the eggs hatch, unless provision was made for

saving the eggs. That is what fish culture or lobster culture attempted to do, and it was not successful because no lobster hatching we have been able to do was sufficiently extensive to meet the drain on the industry.

Mr. EDMONDS. Was it practicable?

Dr. SMITH. It was entirely practicable, but we have been obliged to abandon it for several reasons. And I may say that Canada, which had lobster hatcheries all along the coast, has closed all of her hatcheries within a very short time.

Mr. WHITE. Have you any figures as to the Canadian catch of lobsters—the total?

Dr. SMITH. I have not the figures here; they are available in the Canadian reports.

Mr. EDMONDS. I can furnish you with the consular report if you want to put it in here, giving the figures for 1918 and 1919.

Mr. WHITE. I mean the whole Canadian catch.

Mr. EDMONDS. This is virtually it; it gives it by counties, the amounts caught, the size of the 1918 catch and the 1919 catch, and the value of it.

Mr. WHITE. Does it go back of that?

Mr. EDMONDS. This is from the report of the consul, John C. Watson.

Mr. WHITE. Let us put that in.

(The report referred to is as follows:)

#### NOVA SCOTIA'S 1919 LOBSTER SEASON.

[Consul John J. C. Watson, Yarmouth, Nova Scotia, Canada, Aug. 25, 1919].

The 1919 lobster season in the Yarmouth consular district was a very successful one. Official statistics show that the total catch for the past season amounted to 5,852,096 pounds, valued at \$1,396,946. The catch was slightly smaller than it was in 1918, when it was 6,285,820 pounds, but the value was much higher, the 1918 catch having been valued at only \$799,397. It should be remembered, however, that this year the season lasted only from March 1 to May 31, whereas in previous years the season lasted from December 15 to May 31. There were 4,831,232 pounds of live lobsters exported, and 1,020,864 pounds of lobsters put up by the canneries in 1919. The average price for live lobsters was \$0.19 a pound. This was the price paid in this district, but much higher prices were paid on the Boston market. The average price for canned lobster was \$0.678 per pound. Comparative figures of the lobster catch for the years 1918 and 1919 are given in the following table:

County.	Exported (in shell).		Canned.		Total catch.		Total value.	
	1918	1919	1918	1919	1918	1919	1918	1919
	Pounds.	Pounds.	Pounds.	Pounds.	Pounds.	Pounds.	Dollars.	Dollars.
Annapolis.....		136,640				136,640		24,400
Digby.....	361,400	477,456	33,216	102,720	394,616	580,176	111,418	164,912
Kings.....		12,320			14,700	12,320	2,205	2,750
Queens.....	112,200	372,736	50,304	52,992	162,504	425,728	47,853	84,665
Shellburne.....	665,000	1,805,328	189,600	321,168	2,433,500	2,126,496	270,728	440,660
Yarmouth.....	1,346,900	2,026,752	480,000	543,984	3,260,500	2,570,736	367,193	679,559
Total.....	2,485,500	4,831,232	753,120	1,020,864	6,285,820	5,852,096	799,397	1,396,946

Dr. SMITH. As bearing on the manner in which lobsters will respond to treatment, I would like to cite the case of Rhode Island. Rhode Island has an extremely short coast line, as all of you are

aware, but its lobster fishing is twice as important as that of Massachusetts. The lobster fishing of Rhode Island has been maintained and the catch has been increasing yearly for some time. The only explanation we can give is the effect of the lobster rearing which has been going on in Narragansett Bay for very many years, very successful lobster culture, in which the lobster fry as they come out of the eggs are not distributed, but are held until they have attained the form and assumed some of the habits of the adult lobsters. The young grow rapidly if they have proper food; they shed their coats at frequent intervals, and after the fourth moult they go to the bottom, having developed their crushing claws. Before that time they are absolutely defenseless and the prey of any kind of fish that might desire to feed on them.

Mr. DAVIS. One of the preceding speakers directed attention to this bill that it might create friction between our Government and the Canadian Government.

Dr. SMITH. The only expression of opinion on this subject that I have seen is this letter from the Canadian superintendent of fisheries, which I have read.

Mr. DAVIS. You have no further advices?

Dr. SMITH. I am inclined to believe that Canada would not be particularly pleased with the stoppage of the shipment of lobsters under 10½ inches from the Canadian Provinces into this country.

Mr. HARDY. That is covered by that expression in the letter, if we prohibited the importation of them in live form, they would can them.

Dr. SMITH. Yes. And the exclusion of canned lobsters from the provisions of the bill is sought for the reason that when a lobster is in a can there is no way of telling whether he was 9 inches, 12 inches, or 15 inches long. I do not see how any provision or restriction of this kind can apply to canned lobsters.

Mr. CHINDBLOM. Do you happen to know, or does anybody present know, whether the fishermen from Canada or lower Nova Scotia come down to the coast of Maine, to the waters outside of the three-mile limit there, and engage very extensively in fishing?

Dr. SMITH. I have never heard that they went there. Perhaps Mr. Wilbur can state about that.

Mr. WILBUR. I never knew of their doing it.

Mr. EDMONDS. Don't they fish down there in their closed season?

Mr. WILBUR. There is no fishing at all for lobsters in the closed season.

Mr. EDMONDS. They are not allowed to land lobsters during the closed season at all?

Mr. WILBUR. No; they take all the traps out of the water and throw them upon the bank. The factories furnish the traps, and they lend them to the fisherman, and he turns his catch in there, and during the closed season they take them out of the water.

Mr. CHINDBLOM. And the factories close up?

Capt. NICKERSON. I am pretty well acquainted with that, and I know that the fishermen ship independently there. They fish out 20 miles distant from the land. They crate their own catches and put them aboard the Boston boat and send them by State of Maine and Boston smacks, and there is no furnishing of traps to them at all.

They buy their own traps and they are independent fishermen, and they fish that lateral they have of about 15 or 20 miles.

(The committee thereupon took a recess until 2 o'clock.)

#### AFTER RECESS.

The committee met, pursuant to the taking of a recess, at 2 o'clock p. m.

The CHAIRMAN. Gentlemen, is there anybody else to be heard in favor of the bill?

Mr. WHITE. Mr. Chairman, I have got some letters that I will put into the record, if it is agreeable, when we get through, without taking the time to read them now.

The CHAIRMAN. I have some telegrams and letters in opposition to the bill. I have not had anything come in in favor of it.

Mr. WHITE. I have a letter here from Secretary Redfield, in which he approved the bill in its original form, and I have some letters from some others, but I will put them in later and not bother with them now.

The CHAIRMAN. Well, we will hear from whoever else wants to talk first. Do you want to be heard? You are in favor of the bill.

Mr. POWELL. No; I am not.

The CHAIRMAN. Then, you will speak in opposition?

Mr. POWELL. Yes.

#### STATEMENT OF MR. AVERY L. POWELL.

Mr. POWELL. In my business relations with Maine, I have a fishery business. I think I am the only lobster dealer represented here in this committee, and I have a place of business in Maine, also Massachusetts. I am just as anxious to protect the Maine lobster as anyone else. In fact, I will do all I can, and I would like to see other lobsters protected. There is not one dealer in Maine but what has a place of business in Massachusetts. They all have their lobster smacks, I included, which go down in Nova Scotia and buy lobsters on the market. The Maine lobster has  $3\frac{1}{2}$  inches measure, and those lobsters are put down there and brought over to Maine and put into the ponds. The lobsters which go under the prescribed measure are put in crates and are left until the smacks return or shipped by the Boston & Yarmouth boat to Boston, to their place of business, so that both Maine and Boston come under the same business relations as far as the Nova Scotia lobster is concerned.

I would like to see some regulation regarding the Maine lobster. I think it is not right; it ought not to be allowed for any smack to go down into Maine and secure those lobsters, buy them outside of the territorial waters or in the territorial waters, and bring them to another State.

The first clause of that bill, section 1, I approve, which is just. Now, in regard to the second clause, bringing lobsters into the State under  $10\frac{1}{2}$  inches, I will say in bringing lobsters into the State under  $10\frac{1}{2}$  inches, you increase the standard of both Maine and all the other States. You do not protect our lobster industry at all. You do not touch it at all, and it will all remain the same as it did before this

law, if this should go into effect. It simply has the effect of barring out so much foodstuffs from this country and putting it into the hands of canners, who send it across to England. You are not increasing the catch at all on the Nova Scotia coast, and in that way you are taking just so much of the cheaper lobsters that come to this country. In the spring of the year there are a few fishermen go fishing, but the majority of the fishermen that go fishing around the Massachusetts and Maine coasts go netting, and all other ways. There are exceptions, but the majority of them go netting and seining, and I do not think that that would be any hardship to them, and it would have a tendency to keep the price of lobsters up.

I ship all around through the Middle West and other States, and two-thirds of them, all the way to Arkansas, call for the baby lobster, which is 9 to 10½ or 10½ inches. They won't buy a pound lobster. If we send them a pound and a quarter lobster they will take it off the bill and say they can not handle such large lobsters. So I do not think that this bill, by stopping those lobsters from coming in under 10½ inches, is going to increase our shipping at all. It has nothing to do with our market, nothing to do with serving the lobster; but on the other hand, it is turned into the canners. One party who is associated with the Robert Simpson Co. told me here a while ago, "I do not know if that bill goes through but what I would have a better chance to corner the lobster market in Nova Scotia." I do not know why the bill originated, but I have my ideas. The first clause is all right, but I think if the second clause is allowed to go through it will take a lot of cheap lobsters off the market and will not protect our lobsters at all.

Dr. Smith stated the Rhode Island lobsters were increasing in the hatcheries. No doubt they are. You talk with the people from Massachusetts and their lobsters are increasing. Why? Because they have formed a lobster union. The men are altogether. If one saves a lobster he is complained of and they throw all the other lobsters away. Maine has done it. My idea of the principal thing in preserving the lobsters is by taking the seed lobsters, punching their tails, and allow that lobster to go into its natural element and hatch its brood, because you are not allowed—in fact, you are under the ban of fishermen, catching a lobster which is punched, and by the State, and in that way I think their fisheries will soon come up if a law is put on to stop all illegal traffic in lobsters out of the State of Maine, to Maine, or any other State in the Union.

Mr. DAVIS. How do you account for the reduction in the size of the pot catch, as stated by Dr. Smith?

Mr. POWELL. Well, that has a lot to do in accordance with the weather, and I think another thing—

Mr. DAVIS. But he gave statistics to show that for 30 years the annual lobster catch has been gradually reduced, from originally 76 pounds to 30 pounds in 1913.

Mr. POWELL. It is just like anything else. You go into a lot of lobsters where they are very plentiful and if you have got traps big enough, when you used to first catch them, you would get a large quantity. Finally you get down to where you have to shift your traps here, there, and everywhere.

Mr. DAVIS. In other words, do you account for that by the greater competition in fishing for them or to a reduction in the source of supply?

Mr. POWELL. Well, I think that the lobsters, of course, have gotten down now so that the fisherman has to hunt more for them. That is, he has to change grounds, and in that way they are not so plentiful. But I know in Massachusetts the lobsters are increasing, because I have fishermen from Brewsters and all down that way who fish and bring the lobsters to me, and last year their sales were a great deal larger than other years.

Mr. EDMONDS. Mr. Powell, you are president of the Boston Lobster Co.?

Mr. POWELL. Yes, sir.

Mr. EDMONDS. Mr. Redfield asked whether you would favor a law which would permit the movement of these lobsters unlawfully caught in interstate commerce, and you answered, "Yes." Secretary Redfield then asked you if you thought such a law was necessary for the protection of the industry, and you said that you thought that there should be such a law, or some uniform law, in all of the States.

Mr. POWELL. I do to-day. I believe the State of Maine has first class—my interest is in Maine as well as Massachusetts, and I would say that I would like to see Maine protected as far as that goes, but if lobsters coming from Nova Scotia, which has nothing to do with our market at all, which can not increase or decrease our lobster catch—there is no different regulations in the size of each State, and why should we turn all of those lobsters which come in from Yarmouth, Nova Scotia, back into the canneries, to go to England or France or other places, and put the price of lobsters up to the consumer to around 30 or 40 cents a pound?

Mr. EDMONDS. In the first place, I think the 10½ inch part of the second clause you do not like.

Mr. POWELL. Not imported in.

Mr. EDMONDS. Would you think it would be a good thing to have a general law that all lobsters should be 10½ inches caught off our coast?

Mr. POWELL. Ten and one-half inches caught off our coast? I don't think I would. I will tell you that I think the laws should be for the different States, according to their catches and their lobsters, according to whether they are increasing or decreasing.

Mr. EDMONDS. Would you favor a closed season all along there for 10 months in the year for 5 years, say?

Mr. POWELL. Well, a closed season would put pretty nearly all of us out of business, and one could not stay in business and have a season running for a few months and then sit down and do nothing.

Mr. EDMONDS. Well, you do other things beside fishing for lobsters, don't you?

Mr. POWELL. No; we buy.

Mr. WHITE. It is a recognized industry?

Mr. POWELL. It is a recognized industry.

Mr. WHITE. And I think the gentleman is right when he says it would put the lobster people completely out of business.

Mr. EDMONDS. It don't do it in Nova Scotia, though.

Mr. POWELL. Well, Nova Scotia just does the catching; they are not distributors. They go up there and catch those lobsters and put them in boxes and sell them to this market, or sell them to this man. We are here in Massachusetts. We have to have our cars. We have to have money invested in big storage cars and tanks, and those lobsters come here and we may get a telegram to-day from Little Rock, Ark., for 150 baby lobsters, or from Cleveland or from Detroit, or anywhere. We have to be able to help our customers. We have to go down to-day in those cars and get them and ship them to-morrow. The same way we have to keep a supply on hand all the time. Now, if you did anything like that, where would our cars, and our boats, and everything be, which are adapted for nothing else except the lobster business?

Mr. EDMONDS. Yet I would say, from the hearings last year and the hearings this year, you are going to come to it some day before very long.

Mr. POWELL. I am afraid not.

Mr. EDMONDS. You hope not.

Mr. POWELL. I hope not.

Mr. EDMONDS. I hope not, too, but the indications all point to an extinction of lobsters.

Mr. POWELL. The way things look now, it looks as though Rhode Island is increasing and Massachusetts I know is increasing, and of course I leave it to the gentlemen here to say whether or not the State of Maine is increasing.

Mr. WILBUR. Well, I want to dispute your statement. The State of Massachusetts is increasing. Massachusetts has a ten-inch law, and when they put that in and cut down to nine inches, of course you increase the supply.

Mr. POWELL. You let us catch nine-inch lobsters in Maine, it will ruin the price and everything else.

Mr. WILBUR. May I ask you a question? How long have you been in the lobster business?

Mr. POWELL. I started in the lobster business in 1900.

Mr. WILBUR. Are you familiar with the coast of New England? Were you familiar with it before that time, more or less?

Mr. POWELL. I have never been fishing. I never fished in my life.

Mr. WILBUR. Do you know or believe that early in the nineties, a smack could go to any island on the coast of Maine and get a smack load of lobsters?

Mr. POWELL. I think they could; yes.

Mr. WILBUR. Lobsters were sold then—within your lifetime, if not your memory, in this business, for two for five cents?

Mr. POWELL. No.

Mr. WILBUR. What is the cheapest that you ever heard of?

Mr. POWELL. The cheapest that I ever bought, running in my mind, I think was 10 cents a pound.

Mr. WILBUR. What is the market price to a smacker down in Maine now? Forty cents?

Mr. POWELL. Well, this time of the year the price varies. Now, I guess about 45 cents.

Mr. WILBUR. How much has the supply of lobsters decreased from 1900 to the present time? Are you buying all along?

Mr. POWELL. I am handling and doing more business to-day than I ever did, and of course as far as decreasing, I could not tell you; I could not give you any idea.

Mr. WILBUR. Men can fish a hundred traps now where formerly they could fish 30?

Mr. POWELL. Yes.

Mr. WILBUR. I am trying to get the question answered that the gentleman over there asked. Is there any question in your mind but what the numbers of lobsters in the waters of the Atlantic Ocean has decreased by leaps and bounds?

Mr. POWELL. I don't know.

Mr. WILBUR. Then you say you are basing your statement on Massachusetts waters?

Mr. POWELL. Yes, sir.

Mr. WILBUR. How much has the supply of lobsters that are over 10½ inches decreased in Massachusetts?

Mr. POWELL. Over 10½ inches?

Mr. WILBUR. Or are those Massachusetts lobsters you are getting all from 9 to 10½ inches?

Mr. POWELL. Oh, no.

Mr. WILBUR. How often do you get a 10½-inch lobster in Massachusetts?

Mr. POWELL. Oh, my; they run 2½ and 3 pounds. I can not see any difference as far as the size and the form of the lobster are concerned.

Mr. WILBUR. I will question you in another way. What proportion of the lobsters that you get from Massachusetts waters are less than 10½ inches long out of the total?

Mr. POWELL. Well, we get some about—no, we don't get one-third. I weigh them, tub after tub, when they come up there, and the man that will have three tubs of large lobsters, fishing out of Brewster, he won't have over 40 pounds of the 9-inch lobsters.

Mr. WHITE. Your Massachusetts length used to be 10½ inches?

Mr. POWELL. It used to be 10½ inches.

Mr. WHITE. How long ago was that changed to 9?

Mr. POWELL. Why, it was in 1907 or 1908.

Mr. WHITE. What do you say about the total catch of lobsters now in Massachusetts waters, as compared with 1907—the total catch in pounds?

Mr. POWELL. Well, now, you have got me, because I have never gone into that.

Mr. WHITE. Would you say it is more or less?

Mr. POWELL. I should say more. In fact, I know there is more that are going from 10½ to 9.

Mr. WHITE. That that greatly increased the—

Mr. POWELL. No; it was not for that.

Mr. WHITE. I do not say that was the purpose of it, but it did as a matter of fact greatly increase the total pounds of lobster caught in Massachusetts waters?

Mr. POWELL. Well, it would take about 40 pounds to 300. It increased it to about 40 pounds to 300; that is how much it increased.

Mr. DAVIS. Mr. Powell, what provision, if any, has the State of Massachusetts made in the way of providing lobster hatcheries?

Mr. POWELL. Hatcheries—they have one at Woods Hole and one at Gloucester. They put some in there. They come up and get lobsters from us in the spring of the year, and put them in a barrel and punch their tails, and take them down on the Gloucester boat, and Provincetown boat, and Portland boat, and when they get outside they throw them overboard.

Mr. DAVIS. Are you doing any extensive work in the way of propagation and increase in the supply?

Mr. POWELL. Yes; they are.

Mr. DAVIS. Mr. Wilbur, in that same connection, I want to ask you what provision the State of Maine is making toward increasing the supply of State lobster hatcheries?

Mr. WILBUR. Our appropriation was \$55,000 for the seashore fisheries department, which we increased \$11,000 for buying lobsters—for liberating lobsters instead of rearing them artificially—to buy the berry lobsters and put them back in their natural habitat.

Mr. DAVIS. Is the State of Maine doing anything like what is being done by Massachusetts and Rhode Island, comparatively speaking?

Mr. WILBUR. Massachusetts does nothing toward conserving the lobster industry. It has no purpose to serve in conserving the lobster industry. The total catch of lobsters in Massachusetts is only 5 per cent of the total number of lobsters that they deal in, and a nine-inch lobster law, in the opinion of every authority on the subject, is not a conservation measure. It is a measure looking to extinction. This is a Massachusetts report of the percentage.

Mr. DAVIS. The reason for my question was to try to account for the statement that has been made that the supply is increasing in the Rhode Island and Massachusetts waters, and that it is decreasing in the Maine waters, whether it could be laid to the fact that more was being done in the way of propagation?

Mr. WILBUR. I have not looked up the Massachusetts or the Rhode Island laws. I was in Rhode Island last summer and was told by a lobster dealer—the biggest one in Rhode Island—that they had a nine-inch law and a six-months closed season. He said, of course they did not believe in a nine-inch law as a conservation measure at all. Now, they have done very wonderful work in Rhode Island in the propagation of lobsters, in a way, in my opinion—and I think Dr. Smith would agree with me—which has been superior to even the methods that the United States pursues. They do nothing in Massachusetts toward the conservation or propagation of the lobster, and I will say the facts can be found by investigation of documentary evidence, that Massachusetts has no interest whatever in the conservation and the propagation of lobsters. They are only interested from the point of view of the merchandising of the lobster and not to hatch them.

Mr. POWELL. Could you tell me, any of you gentlemen, how much money they have appropriated to take care of the seashore lobsters of Massachusetts? I am sure I am lame on that. One thing I know, that they paid a large sum of money in the spring of the year for sea lobsters, and that they punched them and threw them overboard.

Mr. WHITE. Of course, this is true, that where only 5 per cent of the total catch of lobsters comes from Massachusetts waters, a very substantial increase—a 50 per cent increase—in the Massachusetts supply is a negligible quantity compared with the whole situation, because it would only lift it up from 5 per cent to  $7\frac{1}{2}$  per cent.

Mr. POWELL. There are not so many fishermen fishing in Massachusetts as there are in Maine.

Mr. WILBUR. There is not a twenty-fifth part as many.

Mr. POWELL. No; there are more in Maine, of course, fishing. I think in Massachusetts—though, of course, you do not need to think the same way I do—as far as protecting lobsters is concerned—

Mr. WHITE. May I interrupt to read this? This is a 1911 report, but it quotes a letter from the chairman of the Commission of Fisheries and Game of Massachusetts, addressed to Gov. Guild in 1908, which says that the catch of lobsters in Massachusetts shows a constant decrease from year to year. In 1905 it was 1,238,071 pounds, a decrease of 412,615 pounds since 1902. It is practically one-third in three years.

Mr. POWELL. While talking about the decrease of lobsters, in this second clause, that has nothing to do with our relation to our fisheries at all. We are not protecting them any when we shoot out those lobsters from Maine, and which are allowed to be bought on the market at the prices they are sold for. They are within the reach of the poor people or the people that can buy them. If we were protecting our lobsters by letting them come in, that would be a different proposition; but we are not. They are going into the canneries. They are used up just as fast as they come here, and why should we cut our business right in half; for what? To protect and put money into the canneries down there; to put them in cans and then put them on the market when we could enjoy that business?

Mr. WILBUR. May I ask one question, Mr. Chairman?

The CHAIRMAN. Yes.

Mr. WILBUR. Mr. Powell, I want to be sure I understood you: As a dealer in Massachusetts and also having a place of business in Maine, I understood you to say that so far as the first clause is concerned you believe it is equitable and fair and proper?

Mr. POWELL. I certainly do. I would like to see it in force, and I will do all I can to enforce it.

#### STATEMENT OF MR. W. S. DOWNS, SECRETARY OF UNITED STATES FISHERIES ASSOCIATION.

Mr. DOWNS. Mr. Chairman, I have the honor to represent the fishermen in 26 States in the Union, and, of course, that embraces the lobster industry from Maine on down to Jersey.

I have listened very attentively to the various arguments that have been used pro and con, and notice, as always happens in a hearing of this kind, that we are very apt to get away from the real features of the bill and go into a whole lot of things that are not at all pertinent with reference to a bill of this kind. It has sifted down to-day, to my mind, that all the people of the State of Maine are asking for is the protection of their lobsters within their own State, and asking the Federal Government to give that protection. If the law of the

State of Maine is a 10½-inch law, I presume that the State of Maine—in fact, I know—has provisions to enforce that law but has been unable to do it.

Now, the question arises in my mind immediately whether this act, if put into law, will give the State of Maine any more chance to enforce the 10½-inch law than it has got to-day, unless the United States Government went to the tremendous expense of appointing game wardens; and they would want a lot of them to enforce the provisions of that law. It is my opinion that the law is violated, when it is violated, by the Maine fishermen themselves. If the fishermen of that section wanted a 10½-inch lobster law, and wanted it enforced and lived up to, it would be enforced and lived up to. People outside would have a very small chance of coming in and violating the law.

That brings me back to the time when I was first assistant to the Division of Fisheries, Food Administration, and when we sent out our licenses, putting all the fishermen of the United States under license, we also attached to that a blank, with five questions upon it, and one of those questions, No. 5, was "What can the Food Administration do to help you in the production of more food?" Invariably the answer came from the fishermen of the State of Maine, "Repeal the 10½-inch lobster law." That was invariably the answer. I have those license blanks yet.

Now, I question very much whether the fishermen themselves of the State of Maine are in entire sympathy with the 10½-inch law. That is deviating a little from this feature, but as it has come up, I wanted to take the time to bring that to your attention.

It is also brought out that this is a measure for the conservation of the lobster. I can not see it in that light. I can not see how in any way it would conserve the lobster industry of the various other States, or particularly of the State of Maine.

In answer to the Congressman's question over here, why lobsters have apparently decreased, I want to go back to seven years ago, when I was sent on a trip to investigate the lobster industry, from New York to Nova Scotia, and I did. I went into every lobster hatchery that there was, both State and Federal, on that coast, and it did not need but a very little while to ascertain that if the hatcheries continued the method of the reproduction of lobsters that they were engaged in at that time, that they would wipe the lobster industry off the face of the earth themselves, because this is what they did: They would take and get the berry lobster, buy it of the fishermen, take the seed from the lobster, take it to the hatchery and hatch it out. After hatching it, it would immediately have to be let go.

The lobster is of a cannibalistic nature. It is almost impossible to keep them for the 25-day period which is necessary to bring them up to the fifth moulting, when they become a perfectly formed little lobster and go to the bottom and are able to take care of themselves; so they immediately have to let them go. They would take them out in cans, 50,000,000 or 100,000,000 in a can, in a boat, and simply hold it over the side of the motor boat and make a streak of chum for all surface-going fish to come up to eat. We do that when we catch bluefish, to attract all the surface fish going in creation to come there and eat it up. I came back and made a report to our own State, and my

own State was doing the same thing exactly, and they asked me what I would suggest that they do, and I suggested that they take and buy the berry lobster, the same as they are doing in the State of Maine to-day, cut a hole in their tails, to save the fishermen repeating on them, and throw them overboard. I do not have to tell you men that in the reproduction of anything, unless we can go any further than nature goes, we had better let nature take care of itself. The result has been that at Montauk Point, which is the largest lobster industry which we have in the State of New York, by doing that in the last five years, we have come up this year, or last year, with the biggest lobster year in the history of the industry. I told Mr. Wilber, because he has only been carrying this on for two years, that inside of five years, as it takes them about five years to come to about a 9½-inch lobster, that the method that they are employing now in buying the berry lobster, in this period of time they would see a tremendous increase in the amount of lobsters in that State, and that will happen in every other State where it is applied. The State of Massachusetts, through the Federal Government, is doing some of the same work.

Now, I am not so afraid that the lobster industry will be wiped off the face of the earth, because I believe we are fighting out things. Another thought flashes into my mind, and I want to speak of it now.

Mr. EDMONDS. Let me ask you a question right there about the berry lobster. Does a 9-inch lobster reproduce as much as a lobster larger than that does?

Mr. DOWNS. No, sir.

Mr. WILBUR. Does it reproduce at all?

Mr. DOWNS. That is a question.

Mr. EDMONDS. How would you expect to—suppose we changed this bill and allowed them all to catch 9-inch lobsters, how would you expect to reproduce then?

Mr. DOWNS. My dear sir, the amount of lobster that is caught and marketed won't keep tallies for the amount that is not caught. We do not catch all of the lobsters, not by any manner of means. While we may catch a whole lot of 9-inch lobsters this year, we will not catch one-half of them.

Mr. EDMONDS. You have already caught them?

Mr. DOWNS. No; we have a whole lot of them left for reproduction, 10 times over. There isn't any question of that.

Mr. EDMONDS. Well, the amount of the eggs that really hatch out in a lobster are very small, as I understand it, anyhow, not more than 4 per cent of the eggs hatched out—that is in nature.

Mr. DOWNS. I doubt if there is much over 20 per cent hatched out. They might say 4 per cent, but it may be that only 4 per cent of them ever come to a young lobster.

Mr. EDMONDS. In the best hatcheries they have not been able to produce more than 20 or 30 per cent. Take it in the hatcheries where they have taken every care of them they have only been able to hatch out 20 or 30 per cent.

Mr. DOWNS. Out of the eggs that are taken?

Mr. EDMONDS. Yes, sir.

Mr. DOWNS. I have never understood that. Mr. Barnes, who is at the head of the hatchery in Rhode Island, and considered the best man in the business, tells me that he can hatch out anywhere from 80 to 90 per cent. Every one of those eggs is fertilized.

Mr. WHITE. I am asking this question for information.

Mr. DOWNS. Go ahead, Mr. White.

Mr. WHITE. In your opinion, has there been a diminution in the lobster supply on the New England coast?

Mr. DOWNS. In what length of time?

Mr. WHITE. Well, there were some figures used this morning for 1888 or 1889. Go back to 1890.

Mr. DOWNS. Yes, there was.

Mr. WHITE. There has been since that time?

Mr. DOWNS. Why, in the last year or two I don't think there has. I think it has increased.

Mr. WHITE. But not up to the supply of 1890, say?

Mr. DOWNS. No, not caught up to the banner year.

Mr. WHITE. What is your explanation of the decrease?

Mr. DOWNS. The decrease in these other years?

Mr. WHITE. Well, in between, we will say, 1890 and the present time, in this food supply.

Mr. DOWNS. Why, I have been rather inclined to think, Mr. White, that of course the extensive fishing shortened it some, but in my judgment, and I do not like to slap the hatcheries, because I am friendly with the Bureau of Fisheries, but in my judgment the activity of the hatcheries in the methods they use in gathering the berry lobster, taking them as they did, which was an absolute waste, has as much to do with the diminution of the lobsters as any other one thing in the whole history of the business.

Mr. WHITE. That is, you figure that the lobsters which the hatcheries have gathered up in these years—that has all been lost, substantially?

Mr. DOWNS. Practically all been lost; yes, sir. And they realize it themselves, too, and you can go into any hatchery and ask the men who are the head of that hatchery, and they will frankly tell you they don't believe in the old methods, that they never did very much good.

Mr. WHITE. In other words, it is your opinion that if the Fisheries Bureau will cease its activities in scraping these berry lobsters, that the supply will naturally increase again?

Mr. DOWNS. And buy the lobsters.

Mr. WHITE. And buy the lobsters and put them back and let them breed naturally.

Mr. DOWNS. Yes; that will increase the supply of the lobsters, without any question of doubt, and my friend here believes the same thing.

Mr. WHITE. Well, to do it we will have to have very stringent laws to protect the berry lobster in its natural waters.

Mr. DOWNS. You have got that law.

Mr. EDMONDS. I would like to ask you another question: You speak about the increase in the catch of lobsters during the past year and possibly the year before. Is that not owing to the very high prices that lobsters were selling at, and caused men to use extra energy and more men to go into the business?

Mr. DOWNS. No; I don't think so. Now, we have got—notwithstanding the fact that Dr. Smith made the statement this morning, and I did not like it at all, that notwithstanding whatever we might

say wasn't so in regard to the price of lobsters—now, the fact—and he has not the statistics and I have—the fact of the matter is last year has been a low-price year in the lobster industry. There were times this year when you could buy lobsters in the open market for 14 cents a pound, and that has not been known for a long time, because the market was glutted with them.

Mr. WHITE. May I go back to this question of the berry lobsters and the activities of the Fish Commission here? As I understood you, of late there has been an increase in the supply of lobsters along the New England coast?

Mr. DOWNS. I think there has in the last two years.

Mr. WHITE. Do you mean that this diminution, or this shrinkage, in the lobster supply came between 1890 and what time?

Mr. DOWNS. They have been gradually going down until—up to the last three or four years.

Mr. WHITE. From 1890 on; my recollection was that the banner catch in Maine was about in 1888 or 1889.

Mr. DOWNS. Well, I could not answer that.

Mr. WHITE. I may be wrong about that, and it has been going down ever since, but the thing about that that troubled me and made it difficult for me to reconcile your statement is that, as I understand it, there were no hatcheries established until well along in 1904 or 1905, or thereabouts. I do not think there were any on the coast of Maine until about 1903, and those activities, of course, would not account for the decrease before that date.

Mr. DOWNS. But I think I can account for it.

Mr. WHITE. I am asking for information.

Mr. DOWNS. I think I can account for it, Mr. White.

Mr. WHITE. Because I want to learn facts.

Mr. DOWNS. Fishermen are fishermen. Previous to the time that hatcheries were opened up there was a law that protected the berry lobster—it had been a law for a good many years. Now, if a fisherman catches a berry lobster that weighs 2 or 3 pounds that lobster is worth 25 cents a pound. It is a temptation to keep it, is it not? He simply catches the berry lobster and throws it overboard, and it is not a berry lobster any more, and that seed is wasted. Whereas if the Federal Government pays him the market price for that lobster he will save that lobster, punch a hole in the tail, and let it go.

Mr. WHITE. I know when I was a boy down on the coast you could get lobsters then six for a quarter.

Mr. DOWNS. That is not any argument or criterion for to-day.

Mr. DAVIS. In that same connection, I remember when you could buy a large farm chicken for 10 cents.

Mr. DOWNS. Oh, yes. That was really on the side.

Mr. CHINDBLOM. Let me ask this question: Are there not other conditions than the supply of lobster which might explain the increased or decreased supply that may be obtainable for the market at various seasons? For instance, do climatic conditions have anything to do with it, tidal conditions, or anything of that sort have anything to do with it?

Mr. DOWNS. We believe it does; we believe that climatic conditions do in fact. We know climatic conditions has all to do in the

world with the growth of lobsters. In the State of Maine it will take five years to get a lobster to  $9\frac{1}{2}$  inches. At Montauk Point it takes three years.

Mr. CHINDBLOM. I am not speaking about the growth; I am speaking about the catch for the season. May there not be climatic conditions which in one season have driven the lobsters inward and makes it easier to catch them?

Mr. DOWNS. Yes, sir.

Mr. CHINDBLOM. And the conditions of the weather and things of that sort.

Mr. DOWNS. Yes, sir.

Mr. CHINDBLOM. So that if, during the last season, say, you have had a larger supply of lobsters for the market as a result of the activities of the fishermen, it may be due to some such case as that?

Mr. DOWNS. Possibly. They are migratory to a certain extent and they are like fish. Some years fish of all descriptions are scarce; the next year they come back thicker than ever. Now, there might be climatic conditions that would keep lobsters away offshore this year, and the next year come right up to shore.

Mr. CHINDBLOM. We all know that. I go to a place for fishing where we wait for a storm.

Mr. DOWNS. Yes; that is true; no question about it.

One point that I want to make that flashes in my mind, gentlemen. It was stated this morning by a gentleman—I don't remember his name—that in your deliberations on this bill that he thought you should take the statement of Dr. Smith, of the Bureau of Fisheries, largely in your deliberations. With all due respect to Dr. Smith, the head of the Bureau of Fisheries, I question whether you ought to take his statement as final. He may be supposed to be the acme of intelligence, on the part of the fisheries industry, but he has got something to learn from us fishermen, who are practical fishermen. He don't know it all by any manner of means, and I found that out a good while ago, as I came in touch with him from time to time. I have been a fisherman since I was 12 years of age. I have lived, slept, and ate with the fish and I have learned some practical knowledge from that, that even a scientist has not found out by studying out of books and staying away from them. I can tell you that by a good way, and I say I don't think you ought to take, because he says a thing ought to be, as a surety that it should be. Now, we have no fight, and as representing the fishermen of the various districts, with the State of Maine having a  $10\frac{1}{2}$ -inch law, if you want it—we have no fight, not a bit. We do object to your saying that we can not market a  $10\frac{1}{2}$ -inch lobster where we want to. We do object to your saying we can not market a  $10\frac{1}{2}$ -inch lobster, as it is caught outside of the 3-mile limit, or in other words, in our judgment, while it might not have been the intention of this bill, we feel that if this bill should become a law it would result in the size of the lobster being fixed eventually at at least a  $10\frac{1}{2}$ -inch lobster throughout the various States.

Now, I am not going on record, I do not want to go on record as saying that a  $10\frac{1}{2}$ -inch lobster won't some time be the proper size lobster. I would not make that statement. But up to the present time, and in view of the fact that the various conservation commis-

sions of the States of New Hampshire, Rhode Island, Massachusetts, Connecticut, New York, New Jersey, and Delaware have a 9-inch law, it seems to me that they are working that thing out, and have been for years working under a 9-inch law, and I do not feel that they are wiping out their lobster industry, and that those other States should have some recognition in what they say the size of the lobster should be in other States.

Mr. WILBUR. May I ask a question?

Mr. DOWNS. Yes, sir.

Mr. WILBUR. Do I understand that you represent the fishermen's union?

Mr. DOWNS. No.

Mr. WILBUR. What is it?

Mr. DOWNS. It is the United States Fishermen's Association, composed of fishermen, the producers, the distributors, and everybody interested in fostering and marketing the fishing industry.

Mr. WILBUR. You are now appearing here representing the fishermen?

Mr. DOWNS. Yes, sir; and the producers as well.

Mr. WILBUR. Do you know whether there is any lobster fisherman in the State of Maine who belong to that association?

Mr. DOWNS. Yes, sir.

Mr. WILBUR. How many would you say there were?

Mr. DOWNS. I would not want to say.

Mr. WILBUR. Would you want to say there are 5 out of 3,000?

Mr. DOWNS. Yes, sir.

Mr. WILBUR. Would you say there were 10?

Mr. DOWNS. Yes, sir.

Mr. WILBUR. How many lobster fishermen in Massachusetts do you speak for, do you think?

Mr. DOWNS. I could not designate, Mr. Wilbur, just the lobster fishermen, because I can not carry the membership of a thousand members in my mind.

Mr. WILBUR. Now, I would like to ask you if my statement is true. You have a perfect right to contradict me without any regard for any courtesies in the matter.

Mr. WHITE. Men can disagree without being discourteous, you know.

Mr. WILBUR. Yes. You have said that the fishermen of Maine did not believe in a 10-inch law or whatever our measure might be.

Mr. DOWNS. I said my observation from the application blanks led me to believe that.

Mr. WILBUR. Well, I want to say to you, to the best of my knowledge and belief, the fishermen of Maine to-day believe in the Maine law, and believe in the rigid enforcement of the Maine law and similar conservation measures as the only way in which they can continue to fish for lobsters.

Mr. DOWNS. All right. Then why is it difficult to enforce that law?

Mr. WILBUR. The natural temptation that is offered to every man when money is put before him, when an automobile goes down, as it does to our summer places, and begs the man to sell him contraband lobsters. Now, I will say this: This illustrates the thing perfectly. In every community in Maine that I am conversant with the great

majority of the Maine fishermen believe in the law and want to see it enforced. There will be 3 or 4 pirates out of 30 men, and if the 30 men who believe in saving their lobsters find that those lobsters which they might have caught and turned in the money right under their nose with a line of traps, right alongside of them is a group of lobster pirates; they are going along and catching that contraband lobster which they throw over and turn them into money, that the contamination of that thing spreads. Now, in any community in Maine, the men who would want to catch them are very much in the minority. I live in Casco Bay, which is the summer part, and where the temptation is the greatest, and a majority of the fishermen in Casco Bay to-day stand ready, pledged to live up to the Maine law, and there are four or five men in any community that would violate it anyhow.

Mr. DOWNS. Would this remedy it?

Mr. WILBUR. Help us tremendously.

Mr. DOWNS. In what way?

Mr. WILBUR. Because when you kill the market for them in the State shipment of the contraband lobster you cut down the market so much that the only problem we would have to deal with is the summer people.

Mr. DOWNS. All right, Mr. Wilbur. Now just look right into this law. Is your market changed, unless you change every other State law to  $9\frac{1}{2}$  inches or to 9 inches?

Mr. WILBUR. Yes; I don't know as I get the question. Is the market changed?

Mr. DOWNS. You say that as long as there is a chance to market lobsters over  $10\frac{1}{2}$  inches then the temptation is added to do it?

Mr. WILBUR. Yes.

Mr. DOWNS. Now, you say you do not propose to change the law in all the other States.

Mr. WILBUR. But this law does change the market, because it says it is illegal to ship a lobster, illegally caught, in interstate commerce. If I can read English, that does mean that it is illegal to ship out of Maine a lobster illegally caught.

Mr. DOWNS. True. It is now, is it not?

Mr. WILBUR. No.

Mr. DOWNS. Under your State law?

Mr. WILBUR. Under our State law, but not in interstate commerce; and we can not interfere with it, even as interstate commerce.

Mr. DOWNS. Isn't it under the interstate law to have a lobster less than  $10\frac{1}{2}$  inches?

Mr. WILBUR. In Maine?

Mr. DOWNS. Yes, sir.

Mr. WILBUR. But you get away with that, don't you?

Mr. DOWNS. Absolutely. Won't they do it under this bill?

Mr. WILBUR. Why, it was illegal to ship liquor into Maine and have it in your possession under certain conditions, before the Federal Government said it was illegal to send into a dry State liquor from a wet State, and that did more to terminate the importation of liquor into Maine than anything else in the world, and that is exactly a similar problem.

Mr. DOWNS. You do not contend that the fact of enacting that into a Federal law, without the Federal Government putting game

wardens enough there to enforce that law, would change the disposition of those men to violate the law?

Mr. WILBUR. I do; very surely.

Mr. DOWNS. I do not think a Federal statute unenforced is any more terrorizing to a man than a State statute.

Mr. WILBUR. I think the people of this country do have some respect for the law.

Mr. DOWNS. I do, too.

Mr. CHINBLOM. I do think that the danger of being prosecuted for violation of the law also influences the action of people, and I do not think that at all times you have got to have a policeman standing over a man to prevent him from committing a crime.

Mr. DOWNS. I agree with you, but in this situation there they can take a lobster 9 inches and get over a boundary line and it is a lawful lobster.

Mr. CHINBLOM. Well, I have been fishing in places where I could have smuggled fish out if I wanted to, but I did not do it because it was unlawful, and I know thousands of good citizens that act likewise.

Mr. WHITE. Here is the situation as I view it. It is true that our Maine law makes the catching of a lobster less than 10½ inches, or thereabouts, now unlawful. It makes the possession of that lobster unlawful, but the authority of the Maine law does not extend beyond the jurisdiction of the State of Maine.

Mr. DOWNS. No.

Mr. WHITE. You give us this Federal statute, which makes the movement of such an unlawful lobster from Maine elsewhere unlawful, and then there is an added offense when the man does it, and we can follow the man and prosecute him where he is found with that lobster. Now, you may not stop it altogether. I am not so much of an optimist that I think it will, but I think it would be a tremendous aid in the enforcement of our State laws, and a tremendous additional aid in the protection of that Maine lobster supply, which, of course, is the greatest source of supply in this country for lobsters.

Mr. DOWNS. Now, Mr. White, after that lobster gets out of the State of Maine it would be hard work to tell where it came from, would it not?

Mr. WHITE. Because we can not get them all is no reason why we should not try to get some of them.

Mr. DOWNS. Do not misunderstand me. I am not objecting at all to your taking care of your 10½-inch lobsters in the State of Maine.

Mr. WHITE. It is just exactly as was expressed here this morning, in accordance with the principle that if goods are stolen, you can get them wherever you will find them. Now, it seems to me that if a lobster is taken in violation of the Maine law, that which is an offense in Maine ought not to become a virtue the minute you pass the territorial limits of the State of Maine, but it ought to be a continuing offense, and this Federal statute makes it an offense for a man who has that lobster unlawfully in his possession in Maine to take it anywhere and possess it lawfully.

Mr. DOWNS. Yes, sir.

Mr. WHITE. Now, it does not affect, mind you, a lobster which a man catches in Massachusetts waters 9 inches long. That is Massa-

chusetts' business. We don't care about that, but we do not want—we speak of Massachusetts because that is nearest to us. It don't make any difference, Rhode Island or Connecticut will serve for illustration; we do not think that a man ought to be permitted to come up in Maine in a motor boat and grab a load of lobsters which violates the Maine law, and then by passing beyond our 3-mile limit be free from any penalty for participation in an unlawful act.

Mr. DOWNS. I agree on that, if you can catch them.

Mr. WHITE. If you will give us this law, we can follow him up into Connecticut, or wherever he may be, and penalize him for that violation of the Maine law.

Mr. DOWNS. I think, Mr. White, that every State would be willing that you shall have such a law to protect your lobsters in Maine.

Mr. WHITE. But you won't agree with us as to what we will do to it.

Mr. DOWNS. Yes; we don't know just exactly what you will do, but we can't agree to section 2 of this law.

Mr. WHITE. I may compromise with you.

Mr. DOWNS. I would be a hardship on the lobstermen if they have got to mark a lobster, and tell where they caught it, and how they caught it. It isn't what the law means. It says they shall be plainly and clearly marked by the person, partnership, or corporation shipping or delivering the same for shipment or transportation, or by the owner if carried by him, to show the size of it therein, the name of the State or express territorial waters from which taken, and the name and address of the shipper, owner, or person shipping or forwarding the same, together with the name and address of the consignee. That is making a fellow do a whole lot of marking.

Mr. ROBER. Well, almost every State has similar laws, now, does it not?

Mr. DOWNS. Not that I know of. The marking of these packages and all that sort of business is one of the hardships. Now, we feel that this is an infringement on State rights. Each State ought to be and is big enough to handle its own situation. We are perfectly willing that you should handle yours in the State of Maine. I have got no objection, personally, to the United States Government coming in and giving you all the game wardens you will need to enforce your State law, if you need them—none whatever in the world—but it is not clear in my mind that if this bill is enacted into a law that there will be such a thing occur. I remember when the migratory-bird bill went through very well, because I was with it from the day of its inception. That same thing was said, "Why, we won't need any game wardens; we will use the State game wardens." But you have a Federal bureau of game wardens, of course, which should be, and it is an expensive proposition; and I don't think there are very many States that are in sympathy with the Federal migratory-bird bill, either—that is, the people in it, outside of the sportsmen. Of course, this is not a sportsman's case.

Those are the objections that the fishermen of the various States that have written into our association, who are lobster fishermen, make on this bill. They do not feel that the Federal Government should tell them that they will have to adopt the Maine 10½-inch law. There are various reasons for that. If Long Island is to adopt

that law, notwithstanding the fact that Dr. Smith said this morning that Long Island was negligible and did not cut any figure—from Montauk Point last year we shipped 500,000 pounds of lobster. That accounts for some, because there are other shipping points, and those 500,000 pounds of lobster represent a lot of money to a lot of fishermen there, and it is safe to say that there were only a small proportion of them that reached up to the 10½-inch lobster.

Mr. WHITE. Let me ask you right there, are you sufficiently familiar with the lobster fisheries of Massachusetts, Rhode Island, and Connecticut to estimate what percentage of the lobsters taken are less than 10 inches?

Mr. DOWNS. No; I am not, because that is not a question I have ever dug into statistically. I am not. I believe, or we believe, rather, that the law should remain in the hands that it is in—the various States—and I believe that is the opinion of these various conservation commissions of these other States, that they are big enough and able enough to handle the situation within each State—and I believe the States of Maine is. I believe the trouble with your State of Maine is this, that you do not appropriate money enough to your commission to enforce your law. You have got all the law you need. If you put the game wardens there to enforce it, there is no question but what you have got all the laws you need. All this does is give you your Federal backing; is not that right?

Mr. WHITE. Don't say us; say the lobster industry.

Mr. DOWNS. Well, the lobster industry gives you the Federal backing. We don't need it in the other States. We have our own situation.

Mr. WHITE. It isn't a question of Maine, New Hampshire, or Massachusetts, or any other State. It is a question of this fishing industry and this source of supply. I would like to look at it that way, rather than as a Maine question or as a Massachusetts question or any other.

Mr. CHINDBLOM. I understand you are unable to state what proportion of these lobster fishermen in these various States your association represents?

Mr. DOWNS. Right out of my head, I am.

Mr. CHINDBLOM. Well, can you state in any way; give any kind of an estimate. Take the lobster fishermen in Maine, do you represent 50 per cent, 10 or 75 per cent of those fishermen?

Mr. DOWNS. I could not tell you, sir; because I don't know how many lobster fishermen there are in Maine.

Mr. WILBUR. There are 5,280 licensed at the present time. I would like to know if you represent 10 men.

Mr. WHITE. Personally I am glad to hear him say whether he represents ten or a thousand men.

Mr. CHINDBLOM. I like to know when a man speaks for an industry just to what extent he represents that industry.

Mr. DOWNS. I could not tell you just how many of the lobster fishermen belong to our association. We have only been organized a year and I could not tell you that. I gave you an idea of what sentiment I got from the lobster fishermen when I was with the Food Administration, through these application blanks. Invariably their answer would be to that question 5, "Reduce the size of the lobster."

Mr. CHINDBLOM. Personally I am pretty much of a bystander. I come from the inland part of the United States and for that reason I would like to know if I can what the sentiment of the people is who are directly interested in this proposition.

Mr. EDMONDS. Don't you eat lobster?

Mr. CHINDBLOM. Very seldom now.

Mr. DOWNS. I do not think, Mr. Congressman, that this bill—the first clause of this—that even the Maine man would have any objection to it; neither have we. If the Federal Government wants to enforce the laws of the State of Maine, we are perfectly willing, but we don't want you to say that we have got to have a 10½-inch lobster.

Mr. WILBUR. If this bill was passed, we could not get a fisherman or any other man to aid Maine or any other State to enforce it, even after the passage of this act, except as that request was passed on by the Secretary of Commerce, could we? We would not only have the law, but we would have to go the additional step and prove to him that we have some reason which seemed good to him, which entitle us to that aid.

Mr. DOWNS. It says it shall be the duty of the Secretary of Commerce to enforce the provisions of this act. It puts the duty upon him; makes it mandatory.

Mr. WILBUR. It is entirely in his discretion.

Mr. DOWNS. Absolutely. He would have to enforce it if Congress gave him an appropriation, but we protest against the passage of this bill as it is.

Mr. EDMONDS. Are there any other gentlemen here that want to be heard?

Mr. DOWNS. Yes.

Mr. EDMONDS. We have got just about an hour before we all have to go back in the House at 20 minutes after 4. I think the members of the committee should have the other gentlemen in mind, so they can go on and make their statements without too many questions.

#### STATEMENT OF MR. F. J. TUTHILL, OF EAST MARION, LONG ISLAND, N. Y.

Mr. TUTHILL. My business is a fisherman, lobster and fishing both, and I have been in that business, this coming year, 52 years.

The CHAIRMAN. Seine fishing?

Mr. TUTHILL. Seine and lobster fishing.

Mr. WHITE. Are you a dealer or a fisherman?

Mr. TUTHILL. I am a fisherman and have been for 52 years. Expect to go this year, if God spares my life.

Mr. CHINDBLOM. Are you also a member of this association that the last gentleman belonged to?

Mr. TUTHILL. I am a member of the association, I am thankful to say; yes, sir. I am glad to owe allegiance to such an organization. If there is any class of men that is persecuted, that is driven to the extreme end, it is the fisherman. Everything under the sun is done to help the farmer and everything under the sun is done to hurt the fisherman, just as true as you live, and I fought for 30 years in my

own State against the laws that have been for the purpose to exterminate our business, and if we had not fought for them we would have been put out of business as commercial fishermen.

Now, this is the solemn truth, as I stand before you this afternoon, and the conservation commission of the State of New York has fought for this 30 years to get the power to control the salt water fisheries. When God Almighty said He put the fish in the sea, He said for them to multiply, and increase, and be for the good of man, and that is what they have been doing all of these years, gentlemen. And you know I nor any other man can tell how many lobsters there are going to be next year, can we? There may be more than there was known before. Last year there was more than has been known for years. We got more in our nets, caught more in our pots, than there had been caught for years and years. That is the way the situation was this year and last year. This year there might be less than last year. You can not tell these things. We don't know where the lobster is going to sell, do you?

Mr. WHITE. I do not.

Mr. CHINDBLOM. You do not think the thundering of the guns on the other side scared them over to us.

Mr. TUTHILL. We can not tell. Maybe the submarines drove them over, but I will tell you, gentlemen, when you come to legislate on salt water fisheries, you have got a mighty hard job. Now, that has been proved. Two years ago there was any quantity of Boston mackerel. You Gloucester men know that. Where were they last year? They never came on the coast; they were not here. Is that mackerel exterminated? Where is the bonita that used to come here by the thousands. I have seen them—have looked east, west, north, and south off Montauk Point for the bonita and seen them everywhere. There hasn't been any since; nobody caught them. They have gone somewhere else. Lobsters crawl; they don't all stay in Maine. They don't all stay in New York State or Massachusetts. I do not believe every lobster born in Maine stays in Maine. It crawls over to Nova Scotia.

Now, gentlemen, there is one thing I want to say in regard to this bill. You will excuse me.

Mr. CHINDBLOM. Go right ahead, sir.

Mr. TUTHILL. I was out to the World's Fair in 1903 in Chicago, and it was my pleasure to go through the fisheries building, and, of course, they had all sorts of exhibits there. Among them was the lobster pots. Of course, I was as green as anybody else. As I went along there I saw a party there looking at those lobsters and he says, "What are they?" I says, "They are lobster pots." He says, "What does the lobster go in there for? What does he go in there for?" I says, "It is funny, isn't it, why he goes in there," and so after talking a little while I says, "I will tell you, gentlemen, they put some bait in there, hang it up in the middle, and the lobster crawls in to get the bait," and they looked at me astonished.

Now, there is one thing about this bill that I don't agree with, and that is prohibiting the importation of the Nova Scotia lobsters into the United States, for the simple reason that lobster is high enough when you have to buy it retail. Isn't that so? They are high enough when you have got to buy them at retail. It isn't the

fisherman that gets the money, the profit out of a lobster. It is the retail man.

The CHAIRMAN. You ought to all go in the retail business, then.

Mr. TUTHILL. Well, we can not do it, Mr. Chairman. We can not do that, it is impossible, because a lobster won't keep more than a week out in the sun. He has to be used pretty quick and handled with care, don't he, to keep him alive? And so I believe it would be an injustice to the country and to the people to pass such a bill as that, prohibiting the importation of the lobsters from Nova Scotia and beyond the 3 mile limit, and I might say right here that we are forbidden, our men can't go, if this becomes a law, beyond the 3 mile limit and catch any lobsters, and they catch a good many out there; although someone said they don't know where the limit is, but we have got to use the same scale, so I think that would be an injustice. I believe if you Maine people want that law the way it is, why you ought to have it. It is your right; I believe it is your right. What will be for the best—whether it will be or not I do not know nor does anybody else. Nobody can tell in regard to these things, not only the man that catches the lobsters, but so many that eat them. They know what is good. I have caught thousands and thousands of skates that we dressed and shipped to the market, and I have seen hundreds and hundreds of lobsters that the skates have eaten up, lobsters about so long, and every kind of fish eat the lobsters, so does the black fish and all other kind of fish that can get a lobster. He eats it. Why? Because he likes it, the same as we do, if we can get them.

So, I am glad for this discussion that we have had in regard to it, because it is all in a friendly spirit, and we are talking for what we believe to be the best interests of the business, and as I said before they do everything they can to help the farmer, but the fisherman gets it in the neck almost every time.

The CHAIRMAN. Can you suggest any legislation that you would think would be beneficial to the lobster industry?

Mr. TUTHILL. No, sir; I don't know as I can. I do not know as I can. Just let it alone, let Nature take its own course, and let a man catch as many lobsters as he can. I don't believe they ought to catch berry lobsters. Yes, I believe in the little lobster being let go. I believe that is a good thing. The day before I came away I had a telegram from our senator, Senator Thompson, in Albany, and he said there was a bill there to amend a bill so as to change the size of the opening of the lath from  $1\frac{1}{2}$  to 2 inches. That would make a man practically build the pots over again. He says, wire me what you think of it. I wired him that we did not want any change. And so I believe, gentlemen, let the fisherman alone. Let the fishermen get what lobsters they can—that is, according to the size that the law of the State has. That is what I believe. I believe in letting them have just the same right as the farmer has to raise what they have got; raise what kind of stuff he has got, and sell it when he has got it. I believe that is the privilege they have got.

We must expect that these things must be high in price. The lobster men have to pay for the lath, although when we first started in they were 15 or 20 cents a hundred lath. Now we have to pay \$2. What did we have to pay for a net for the tunnels? About from 30

to 40 cents a pound. Now we have to pay \$1—96 cents the last we got. And rope, why, where we used to get it from 8 to 12 cents, now we have to pay 30 cents a pound. All of these things necessitate that the price of the lobster to the fisherman—the fisherman must get a better price. What do we have to pay for our men? We used to get them for \$35 a month; now \$75 to \$100 a month; and everything in proportion. One thing follows the other. If we did not get a high price for our fish—and this year, while it is transgressing from the topic, I want to tell you gentlemen we turned thousands of boxes of fish away this year, for the simple reason that since the Government got control of the railroads and put the rates up we could not ship them into the New York market, only a little over a hundred miles' run. It costs \$3—over \$3 for 200 pounds of fish—340 pounds of fish—and we had to let those fish go. We could not send them to the market, so we just let the top line down of our net and let them swim away. It would not pay. Now we are up against this proposition, the same way with a lot of fishermen, and if this should become a law and it should be enforced throughout all the country, it would put our men out of business. They could not catch lobsters enough of that size to pay anything like that. If it should come to pass, there ought to be years intervene before the law goes into effect, so as to give the men a chance to use up what they have got. All of these bills say "take effect immediately." I don't think this one says so, but that is the way they are introduced—"take effect immediately." When anything like that come up, like the fisherman, they have bought their nets, got them already put in, and this law is passed that you can not set a certain-size mesh. Your net is no good, you are out of business—it takes effect immediately.

Now, gentlemen, I think I want to go on record not that I object to this law as a universal law for the different States. Of course, if men want to have it, they have a right to have it. It belongs to you, and if I can do anything to help you to enforce it I will be glad to do it. I thank you, gentlemen.

#### STATEMENT OF MR. M. H. NICKERSON.

MR. NICKERSON. Mr. Chairman and gentlemen of the committee, if you will permit me—

The CHAIRMAN. Your address, please.

MR. NICKERSON. Twenty-four White Street, Boston.

MR. CHINDBLOM. And your business.

MR. NICKERSON. I am associated with the Boston Lobster Co. and the Parnell Lobster Co., situated at Chelsea, and another in Rockland, Me.

MR. EDMONDS. Wholesale dealers?

MR. NICKERSON. Mr. Powell is proprietor of both and has already spoken—both wholesalers, importers, and dealers.

MR. CHINDBLOM. You don't do any fishing yourselves?

MR. NICKERSON. No.

MR. CHINDBLOM. That is, your firm.

MR. NICKERSON. No; none at all. Just that is the business especially. Now, in order for perfect clearness, and I want to be very brief, because the gentlemen who have preceded us have taken the

same stand as I am taking in this prepared statement, have done the work so admirably well that I feel there is little need for me to be lengthy at all.

As you observe, gentlemen, there is a perfect unanimity of sentiment and a oneness of opinion among all of those delegates who have come here to fight this bill, and that can only be explained on the ground that they are on the right track. We have never contested with one another, but common reason, common justice and prudence has led them to the same conclusion.

Mr. CHINDBLOM. To some extent it may be common interest.

Mr. NICKERSON. Well, there are different interests—their interests are different. These gentlemen are fishermen and we are dealers. I submit that in general the producer and the capitalist, as you may call it, are at loggerheads, and that is creating all of the trouble all over the world. Now, I am going to speak by the card.

In the first place, it seems to me that time has moved faster than that Redfield bill. I name that Dr. Redfield's bill without any hesitation, because I attended the convention of the International Fisheries Commission in the Chamber of Commerce at Boston, and the fifth entry on the addenda of that body was to the effect that we will discuss—and I think it was given out for publication—the two countries will assume dual control of the lobster industry in both countries. Well, I rose up and asked the Secretary of Commerce, as he was then, if he would be definite and explain just what was the meaning and intent of those words "dual control." If he had said "duel" control I would have instantly been ready to take up the gauntlet and fight it out with him, but he would not tell me. After that, perhaps I had better read this.

That bill was probably framed a year ago, and since that time events moved pretty swiftly, and the fishermen of Maine and the dealers in Maine had succeeded, after a long, long struggle, in getting the size limit in that conservative State reduced a little. Will any gentleman tell me exactly what it is now?

Mr. WILBER. It is  $3\frac{1}{2}$  inches from the eye socket to the nearest point of the rear.

Mr. NICKERSON. What straight measurement does that give, please.

Mr. WILBER. No two lobsters will give the same.

Mr. NICKERSON. Not exactly, but we tested 150. It gives 10 inches.

Mr. WILBER. I tested a hundred.

Mr. NICKERSON. Therefore, on the threshold of this question, we say why is the  $10\frac{1}{2}$  inch standard raised, when both of those States have changed their laws, and the State of Maine in process of scaling it downward instead of upward?

Mr. WHITE. Let me interrupt just a minute. I think you are confused about this bill. There was another bill which was framed and introduced, and it was H. R. 10236, the Sixty-fifth Congress, as a result of that conference up there in Boston, and I think that is the one you have in mind, rather than this one, although I won't be certain about it.

Mr. NICKERSON. I won't dispute the point, but still I think I am right.

Mr. WHITE. We had hearings on that bill.

Mr. NICKERSON. This bill ostensibly aims to help the lobster industry of Maine. Neither dealers or fishermen of that State have taken any part in promoting it. Their legislature last year voted the 9-inch law, and carried it through both chambers, but in the final stages it was beaten out by some hidden hand behind the scenes.

Mr. CHINDBLOM. It must have been the governor.

Mr. NICKERSON. Well, it may have been. All this I submit, Mr. Chairman and gentlemen, proof positive that the State of Maine does not want this bill to pass. Now, the legal sizes of the several states are as follows: Maine,  $3\frac{1}{2}$ -inch body, shell measure, equal to about 9 inches, with a little variation, as Mr. Wilber said; New Hampshire and Massachusetts, 9 inches straight; New York, Rhode Island, and Connecticut,  $4\frac{1}{2}$ -inch body, shell measure, practically 9 inches. This bill would bar out all imports under  $10\frac{1}{2}$  inches, working a positive injury to all of the lobster business of the New England States, including Maine itself, since it is higher than their own local law. That, I think, gentlemen, is so obvious that I need not waste a word in trying to argue it. Three-quarters of all of the live lobsters sold and consumed in the United States are brought in from the maritime Provinces of Canada, principally Nova Scotia. The annual value at receiving ports is approximately \$3,000,000.

Mr. EDMONDS. You mean the value at which wholesalers purchase them?

Mr. NICKERSON. From Canada; I will explain that a little bit afterwards to the satisfaction of all concerned—\$3,000,000, while the coastwise receipts of food are, I think, a little over \$1,000,000—that is, domestic catches. Now, it makes \$4,000,000 worth in all. Canadian shipments come by the steamers of the Boston-Yarmouth Line and about 25 big gas smacks owned and operated severally by the New England and Maine dealers alike. Should this bill become a law, it would cut down the Canadian imports to one-third—that is to say, about \$1,000,000—and that with the domestic catches of the United States would make up about just one-half of the present supply. Now, just think of that. The scarcity would, of course, send the price skyrocketing. It is 50 and 60 cents a pound now; and we have no hesitation in saying that the supply would decrease by one-half and the rise would be correspondingly higher, and it would not probably stop at \$1.20; and, just think, gentlemen, what a gloom that would cast over the Great White Way itself?

If this law becomes effective, these 25 gas smacks would be out of commission and useless. They are built with wells in the hold, which renders them incapable of engaging in any other business whatever; and the properties of the dealers, floating cars, crates, and all apparatus which is needed now to take care of the volume of the business that they handle, would, for the most part, lie idle, involving a loss of thousands of dollars all around.

Mr. WHITE. Let me ask you a question?

Mr. NICKERSON. Yes, sir.

Mr. WHITE. You say the legal length is 9 inches?

Mr. NICKERSON. Nine inches straight.

Mr. WHITE. Just what is that law, that no man shall catch and have in his possession a lobster less than 9 inches?

Mr. NICKERSON. The usual phraseology.

Mr. WHITE. Does the Massachusetts law prevent the bringing in from Nova Scotia into Massachusetts a lobster less than 9 inches?

Mr. NICKERSON. They seize it. Last year—I might state that they have for several years been in the habit of coming to the ships—the lobster ships—when the lobsters were received and taking charge of all of those small ones which go by the name of “shorts.” When they gather them up, carry them down the bay and dump them in various places. I think that is done by the hostileness of the Canadian shippers. The Canadian shippers are hostile fishermen, and they have been warned against it. I asked my friend Mr. Adams and his fish company on Beacon Hill if he could possibly do anything to prevent this shipment of illegal lobsters. It put us to a great deal of trouble. Mr. Powell took all the pains in the world, and finally he suggested they would get a boat. Thirty thousand of them were planted last year in Massachusetts Bay; and if that does not have an upward impulse, then I say those lobsters could not stand the climate.

Mr. EDMONDS. Then the statement here that Massachusetts did not do anything to increase the production of lobsters was wrong?

Mr. NICKERSON. Yes; I noticed that.

Mr. EDMONDS. Because they actually did.

Mr. NICKERSON. Actually did quite a bit. The boats of the Boston and Yarmouth line—that is, the Eastern Steamship Corporation—would lose more than half of the ordinary lobster freight, which is something like \$30,000 a year, and the trade in general would be completely demoralized. The great distributing firms and caterers at Springfield, Chicago, Cleveland, Pittsburgh, Cincinnati, New York, Philadelphia, Baltimore, and even the historic Washington would wonder what had hit them. Since the thing has been so carefully concealed from public view, kept under a bushel to such an extent that even the fisheries commission of Massachusetts did not know it existed until I called Mr. Adams up and told him—that was about six weeks ago. Now, there are several hundred lobster canners in the maritime Provinces of Canada—I believe 980, to be precise—in places near the American markets or where the fishermen have easy access to the same by means of the steamship lines, or those smacks which have been previously mentioned. They send all of their catches down to 9 inches. That is the size which Massachusetts admits at Boston.

Mr. EDMONDS. Do the New York, and Philadelphia, and Washington, and Baltimore markets get their lobsters through Boston?

Mr. NICKERSON. Mostly.

Mr. EDMONDS. They unload at Boston?

Mr. NICKERSON. And they unload at Boston. Boston is the great distributing point. I have called it somewhere here——

Mr. EDMONDS. Yes; you just mentioned it, and that is the reason I asked the question.

Mr. NICKERSON. I called it the great emporium. The sellers are obliged to make use of all kinds of lobsters that they can get hold of—all sizes down below that restricted size in Massachusetts. In that district of Nova Scotia, strange as it may seem, there is no size limit. That was abolished eight years ago at the request of the

cannery gangsters—excuse me—combination. They asked Ottawa to abolish the size of the lobster, “for the Lord’s sake, so we can get something out of it,” for the fisherman are shipping all of the legal sized lobsters away, and they accommodated them to that extent. Now, the finest packing meat is taken from lobsters of medium size. That is 9 and 10 inches; and all over 10½ inches, the individual lobster is rather too large to get into one can, claws and all, and besides, all of that the meat is decidedly coarse and not quite so good a flavor as the smaller lobster.

Now, I think it is plain to be seen that this bill must have originated with the Canadian industries, and I will tell you my reason for believing the same. I am pretty well acquainted, having been on four lobster commissions in Canada. I know all the gentlemen at the heads of the departments, and when I discovered through the courtesy of a friend that this bill was impending over our heads like the sword of Damocles, and about to fall, I asked those heads of the naval department especially that were concerned in it—I asked them if they knew such a movement was on foot and if they could give me any helpful information concerning it, and I have never received an answer from that gentleman yet.

Mr. WHITE. Who is the letter signed by, Secretary Redfield?

Mr. NICKERSON. Yes.

Mr. WHITE. In which he says “This bill was prepared by Mr. Quigley, who was then in the employ of the Department of Commerce and has been carefully gone over by Dr. Smith,” This is a letter to Mr. Wilbur, by the way, “and it is suggested that your commission take the matter up with Representative White, of Maine, who is a member of the Committee on Merchant Marine and Fisheries, with the view of asking him to introduce the bill in Congress.” Then he says the bill would have the cordial support of the department. Now, you do not mean to say—

Mr. NICKERSON. I think you have mentioned there—

Mr. WHITE. You do not mean to say that the Department of Commerce was moving in favor of any Canadian interests against American interests?

Mr. NICKERSON. No; I understand this was this dual control. Keep in mind that magic word.

The CHAIRMAN. There is a changed man at the head of the department to-day.

Mr. NICKERSON. Yes; that is right; glad to hear it.

Mr. WILBUR. You are from Boston?

Mr. NICKERSON. Yes.

Mr. WILBUR. And is it not true that the only mention of lobsters in the American-Canadian fisheries conference had to deal with the unfair, illegitimate acts of our Maine smacks, who went down off the Massachusetts coast and stayed outside that 3-mile limit and got them to carry their lobsters out, and the sentiment was universal that that was unfair, and it had nothing to do with any such measure?

Mr. NICKERSON. Quite true; but thereby hangs a tale. I had a statement to put in there which dealt with the whole subject, but Mr. Redfield ruled me out, and you heard him.

Mr. WILBUR. He ruled you out; said it was irrelevant to the point.

Mr. NICKERSON. No; he said lunch time; he looked at his watch. I said, “I will put this through the papers.” Now, as to Mr. Quig-

ley, Mr. White, with all respect I say that as you have mentioned that—I think in Shakespeare, somewhere in the Merchant of Venice, he says, “I thank thee, Jew, for teaching me that word.” I won’t say that. Let me tell you about Mr. Quigley. He was an employee of the Department of Commerce at Washington at that time, and he was taken out of that and made secretary of that international fisheries committee, and he seems to have gotten enough out of that to think it was worth while. This ought not to go into the record.

Mr. EDMONDS. We can stop that if you want to.

Mr. NICKERSON. I want to say, in order to meet that, that he voluntarily opened that correspondence with us. I guess I had better cut it short.

One thing I want to mention about the diminished supply: There will be an apparent falling off, and that apparent falling off is due to this. I think Mr. Wilbur is pretty well posted in the fishing conditions there and he must know. You know the fishermen take the bait out of the pots and throw it over, and free lunch used to go with free whisky. Free lunch for the lobster has the same deleterious effect as the free lunch had. I defy anyone to get the same crop year after year, when the lobster bait is thrown all over the ground.

Another significant fact is that while the fisheries commission took up the cry of depleted areas and decreasing catch, and some protective measure being necessary, I want to make the statement before I close that they lengthened the session in New Brunswick—Judge Hazen was on that commission—they lengthened it to almost nine months. I think the footprints of the devil were quite evident in that bill.

The CHAIRMAN. I have a number of letters in opposition which can be introduced into the record at this time.

BOSTON, MASS., January 21, 1920.

HON. WILLIAM S. GREENE,

*Chairman Committee Merchant Marine and Fisheries,*

*Washington, D. C.:*

The Commonwealth of Massachusetts in General Court, January 21, 1920, were asked if House bill 4871, now pending in the Congress of the United States would, if enacted, prohibit the importation into the United States of any lobsters measuring less than 10½ inches in length; and whereas the greater part of the lobsters now used in the United States are imported from the Dominion of Canada and measure less than 10½ inches in length; and whereas it is provided in the said bill that it shall not apply to canned lobsters so that the effect of the bill will be to deprive this country in general and the Commonwealth of Massachusetts in particular of the greater part of its lobster supply and to divert the same into the canning factories of Canada: Therefore be it

*Resolved*, That the General Court of this Commonwealth hereby protest against the passage of the said bill as pending, to decrease the supply and increase the cost of a common, agreeable, and wholesome article of food; and be it further

*Resolved*, That copies of these resolutions be sent or telegraphed by the secretary of the Commonwealth to the presiding officer of both branches of Congress and to the Senators and Representatives from this Commonwealth.

ALBERT P. LANGTRY,

*Secretary of the Commonwealth.*

BOSTON, January 16, 1920.

HON. PETER F. TAGUE,

*Washington, D. C.*

DEAR SIR: Referring to bill H. R. 4871, Sixty-sixth relative to a hearing January 22, 1920, in regard to

at session,  
h to ex-

press our entire disapproval of such a bill, believing it would be in violation of State rights in the first place and in the States of New Jersey, New York, Connecticut, Rhode Island, and Massachusetts, it would virtually result in an embargo on fishing for several years as the proposed limit is far in excess of the average size caught in those States. We hope you can exercise your influence against such a pernicious measure.

Yours, very truly,

JOHNSON & YOUNG.

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THE BOSTON LOBSTER CO.,  
Chelsea, Mass., December 12, 1919.

HON. PETER F. TAGUE,  
Washington, D. C.

DEAR SIR: In certain fishery circles there is a rumor, quite well authenticated, that a bill is now before Congress for legalizing the sale in the United States of lobsters imported from Canada and known to the trade as "shorts." These are simply lobsters which do not measure 9 inches in length, and are unlawful goods in Massachusetts.

We are not desirous of handling in our business any lobsters of the above size, as our receipts are ample without them. Moreover, we are in accord with the Massachusetts Fish and Game Commission in opposing any such change in the laws as might, on occasion, lead to the violation of the local regulations with regard to live lobsters. On the whole, we consider the admission of "shorts" would tend to injure the business generally.

My present object in writing is solely to inquire if you have any knowledge of the alleged bill, and we should be infinitely obliged to you for any advice concerning the same.

Faithfully, yours,

M. H. NICKERSON.

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J. A. YOUNG & Co.,  
Boston, January 16, 1920.

HON. PETER F. TAGUE,  
Washington, D. C.

DEAR SIR: In answer to yours of January 13, it seems to me hardly necessary that our firm be represented at that hearing on bill H. R. 4871, as I understand the American Fisheries Association will have a representative there, and that the Fisheries Commission of the Commonwealth of Massachusetts will be represented there by somebody in opposition to it.

However, I would like to give you few reasons why the Boston lobster dealers oppose the enactment of such legislation:

In the first place, it is inconsistent with all the laws of the lobster-producing States in this country. There is not a State that has at the present time a 10½-inch law, Maine being the nearest to it, but their present law means practically a 10-inch lobster.

It is also inconsistent in itself, as section 2 reads, on line 12, "10½ inches in length," and on lines 15 and 16, "or less than 4½ inches carapace measurement." In a great many instances these two conflict, some lobsters measuring 10½ inches will not go the carapace measurement, and vice versa.

Another reason is that lobsters less than 10½ inches are caught legally in the Nova Scotia waters and are received into this country in a legal manner, and this law would be an imposition on the American public, as it would take away from the people all over this country an article of food which is very important at this time. Besides, it would be of no benefit to the lobsters in American waters, as our State laws provide protection for them.

It would be a very great hardship on the Boston lobster dealers, as most of these goods come to Boston and are distributed from here all over the country, and the life of the wholesale lobster industry of Boston depends on the lobsters that come from Nova Scotia and New Brunswick.

The only reason for it that I can see is the fact that the canners of Nova Scotia have been trying for years to get a law through Ottawa prohibiting the exportation of lobsters under 10½ inches. Failing to do this they are trying through our American Government to have what would practically be an export law for the Canadian Government if enacted.

TO PROHIBIT TRANSPORTATION OF ILLEGALLY CAUGHT LOBSTERS. 57

If it is possible for you to be at that hearing I think the lobster dealers of Boston would greatly appreciate it. If you can not be there in person, could you not have these objections introduced at the hearing?

Thanking you for your consideration, I am,

Very truly, yours,

J. A. YOUNG & Co.,  
Per A. L. YOUNG.

L. M. MCINTIRE & SON,  
*Boothbay Harbor, Me., January 19, 1920.*

HOUSE OF REPRESENTATIVES,  
*Washington.*

DEAR SIR: Yours received regarding the lobster laws.

We would favor a Federal law, one uniform size in all States, and all lobsters shipped into this country to correspond with ours.

Respectfully, yours,

L. M. MCINTIRE & SON.

HOUSE OF REPRESENTATIVES UNITED STATES,  
*Washington, D. C., January 21, 1920.*

HON. WILLIAM S. GREENE,  
*Chairman Committee on Merchant Marine and Fisheries,  
House of Representatives, Washington, D. C.*

MY DEAR COLLEAGUE: I am taking the liberty of inclosing herewith for your consideration two letters which I have received from Mr. L. C. Creamer, treasurer of the Consolidated Lobster Co., 270 Northern Avenue, Boston, Mass., in reference to H. R. 4871, prohibiting the transportation of lobsters, to which he is opposed. I understand this bill has been referred to your committee.

With kind regards, please believe me,

Yours, very truly,

ALVAN T. FULLER.

THE CONSOLIDATED LOBSTER CO.,  
*Boston, Mass., January 19, 1920.*

Congressman ALVAN T. FULLER,  
*House of Representatives, Washington, D. C.*

DEAR SIR: Let me thank you for your prompt reply to my inquiry of January 12, relative to bill No. 4871, prohibiting any lobsters less than 10½ inches in length coming into the United States.

I notice you state in your letter the transportation of illegal lobsters. Perhaps it would be well for me to call your attention to one point. The lobsters this bill in question will prohibit from coming into the United States are legal in the State of Massachusetts under the fishery laws, the same applies to all other States with the exception of the State of Maine, and I have no hesitation in saying I think this was a well-laid plot to try and smuggle this bill through the United States Congress with the Representatives of the States affected knowing as little as possible what it meant to the lobster industry of this country and the States they represent.

This bill is purely one to give the State of Maine the advantage in the lobster industry of the country, and I want to urge upon you the duty you owe to the State you represent, the one State mostly affected by the passage of this bill. There is another point I will call your attention to, the passage of this bill will give Nova Scotia and New Brunswick cannery the long-desired protection they have tried to get through the Dominion Government and have failed. Perhaps it would not be amiss for me to inform you that last season in four months—March, April, May, and June—there were over 5,000,000 pounds of live lobsters exported into this country from Nova Scotia and New Brunswick, and over 4,000,000 pounds of the entire lot were landed in Boston. Had the size limit of this bill in question been in effect, less than one-third of the 5,000,000 pounds would have been of legal size. So you can easily see the effect this bill will have with the lobster industry of the country both in supply and price; and I believe the people of the State affected by this selfish legislation offered by the State of Maine should be protected.

58 TO PROHIBIT TRANSPORTATION OF ILLEGALLY CAUGHT LOBSTERS.

We must ask you to make every effort to defeat this bill, as it means disaster to the lobster industry of the State you represent, as well as the entire country with the exception of the State of Maine.

Very truly, yours,

THE CONSOLIDATED LOBSTER CO.,  
L. C. CREAMER, *Treasurer.*

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THE CONSOLIDATED LOBSTER CO.,  
*Boston, Mass., January 20, 1920.*

Congressman ALVAN T. FULLER,  
*House of Representatives, Washington, D. C.*

DEAR SIR: It gives me pleasure to inclose a letter from Rockport, Mass., from the president of the Lobster Fishermen's Association, John F. Lawson.

It seems to me the further we look into this so-called White bill of Maine, it makes us believe that it is not a lobster law but is an embargo on trade, and I do hope that you as our representative with the evidence I am sending you will be able to kill this bill where we will never hear from it again.

Thanking you, I remain,

Yours, very truly,

THE CONSOLIDATED LOBSTER CO.,  
L. C. CREAMER, *Treas.*

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ROCKPORT, MASS., *January 19, 1920.*

DEAR SIR: The Cape Ann Lobstermen's Association is opposed to Mr. White's bill from Maine on the 10½ lobsters from Canada.

We think it will be detrimental to the business.

JOHN F. LAWSON,  
*President L. A. of Cape Ann.*

P. S.—Tell your Representative in Washington. Hope the bill be defeated.

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HOUSE OF REPRESENTATIVES UNITED STATES.  
*Washington, D. C., January 21, 1920.*

HON. WILLIAM S. GREENE,  
*Chairman Committee on Merchant Marine and Fisheries,  
House of Representatives.*

MY DEAR COLLEAGUE: I am inclosing herewith for your information letters of J. A. Young & Co. and Shattuck & Jones, (Inc.), protesting against H. R. 4871, on which you are to have a hearing to-morrow.

Very sincerely, yours,

FRED. W. DALLINGER.

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HON. FREDERICK W. DALLINGER,  
*Washington, D. C.*

BOSTON, *January 19, 1920.*

DEAR SIR: My attention has been called to a bill in the House of Representatives, No. H. R. 4871, which is to have a hearing before the Merchant Marine and Fisheries Committee on Thursday, January 22. This bill, introduced by Representative White, of Maine, is asking Congress to pass a bill in the interests of a few dealers in Maine at the expense of the lobster industry of the rest of the New England States, and which would deprive the people of the whole United States from using lobsters which are caught in Nova Scotia and New Brunswick in a legal manner and sold here according to the laws of our State.

There is not a State in this whole country that has at present a 10½-inch law, although Maine is the nearest to it, New Hampshire and Massachusetts having a 9-inch law and Rhode Island, Connecticut, and New York having a 4½-carapace measure, which is practically a 9-inch law.

The law is also inconsistent in itself, as section 2 reads, in line 12, "10½ inches in length," and on lines 15 and 16 "or less than 4½ inches carapace

measure." In a great many instances these two conflict some lobsters measuring 10½ inches will not go to the carapace measurement and vice versa. These lobsters are legally caught in Nova Scotia, and fully half that come are between 9 and 10½ inches. The people of this country call for this size lobster more than any other size, and it would be a great hardship to deprive the people of them. Besides this, it would be of no benefit to the lobster fisheries in American waters.

It would be practically the destruction of the wholesale industry of Boston, as the greater part of the lobsters that come to Boston come from New Brunswick and Nova Scotia. As a matter of fact, the State of Maine should change its law to be consistent with the rest of the lobster-producing States, and, as I said before, the rest of the New England States have practically a 9-inch law.

I would like very much to have you enter my objections to this bill at the committee meeting, and trust you will find it convenient to attend this hearing.

Very truly, yours,

THE FIRM OF J. A. YOUNG & Co.,  
ALFRED L. YOUNG,  
No. 15, Lakeview, Arlington, Mass.

SHATTUCK & JONES (INC.),  
Boston, January 19, 1920.

Hon. FREDERICK W. DALLINGER,  
Washington, D. C.

DEAR SIR: In re bill H. R. 4871.

This bill we consider pernicious for a number of reasons.

Massachusetts dealers have developed a large business in so-called chicken lobsters, and this demands sources of supply outside of local bounds.

Prices for lobsters have already reached the high limit; consumers refusing to pay more for those which dealers are able to secure under existing laws, and any legislation aimed at a curtailment of present supply would most certainly result in serious loss to many dealers, not only in the United States but in Canada, which is the chief producing source outside of Maine and Massachusetts.

Aside from the loss of business to the dealers, many citizens of the Middle West would be deprived of lobsters, since the business is as far-reaching as Chicago and Denver.

The State of Maine dealers, apparently, would be the only persons benefited by this bill and as the Maine law limits the size of lobsters that may be shipped to 10½ inches, dealers in those States where the legal limit is less than that figure would be excluded from the privileges of interstate commerce which they now enjoy and upon which depend the bulk of the business.

Very truly, yours,

SHATTUCK & JONES (INC.),  
Per W. MUNROE HILL, Treasurer.

Mr. EDMONDS. I move that the matter be referred to a subcommittee on fisheries.

Mr. CHINDBLOM. I second the motion.

The CHAIRMAN. Those in favor of that motion will say "aye."  
(The motion was duly carried.)

(Whereupon, at 4 o'clock p. m., the committee adjourned.)











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